R6600-1

State court caseload statistics:

Annual Report 1988

Funding Provided by the
STATE JUSTICE INSTITUTE
Grant Number SJI 88-07X-067

A joint effort of the Conference of State Court Administrators,
State Justice Institute, and the National Center for State Courts'
Court Statistics Project

February 1990

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ISBN 0-89656-097-X
National Center Publication No. R-115

This report was developed under Grant SJI-88-07X-067 from the State Justice Institute. Points of view expressed herein are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute.

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Acknowledgements

We gratefully acknowledge assistance and guidance from the following groups and individuals. Our main debt is to state court administrators and their staff. They are the source for most of the information contained in this report and its compilation depends on the patience and expertise with which they respond to requests for additional detail or clarifications. We particularly acknowledge the staff members in the administrative offices of the courts who serve as contact persons between their offices and the Court Statistics Project.

The clerks of the appellate courts in many states also provided caseload statistics in published or unpublished form for inclusion in the report. Their willingness to provide and verify information about the appellate courts is much appreciated.

The 12 members of the Conference of State Court Administrators's Court Statistics and Technology Committee were charged with overseeing the production of this report. In addition to providing general direction for our approach to collecting and reporting state court caseloads, the committee members reviewed the contents of the report in draft form. Their corrections, suggestions, and comments were vital to the process of producing the report.

Larry Polansky was a member of the COSCA Court Statistics and Technology Committee for 10 years, serving as its chairman since January, 1987. Larry's formal association with the work of the Court Statistics Project will end upon his retirement as Executive Officer of the Courts of the District of Columbia in February 1990. But he will leave a strong legacy of commitment to continuous improvement and a firm belief that national caseload statistics from the state courts should be published early in the following calendar year.

Funding from the State Justice Institute made the preparation and publication of the report possible through Grant SJI-88-07X-067. We appreciate the Institute's continuing financial support and the interest shown by our project monitor, Kathy Schwartz. It should be noted that the points of view expressed in the report are those of the Court Statistics Project staff and do not necessarily represent the official position or policies of the State Justice Institute.

Advice on the draft was also received from our colleagues Joy Chapper and Roger Hanson. Their suggestions on matters editorial and substantive is received with thanks.

Full responsibility for the information reported herein and the text of Parts I and II lies with the Court Statistics Project staff. The more general responsibility for developing the report series and promoting improvements to the accuracy and usefulness of court statistics lies with NCSC management and Court Statistics Project staff, working with the policy direction of the COSCA Court Statistics Committee.

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Overview of the Report

This report presents a comprehensive picture of the work of state trial and appellate courts in 1988. It is the twelfth in a series of annual reports on state court caseloads produced as a cooperative effort by the Conference of State Court Administrators (COSCA) and the National Center for State Courts (NCSC).

The 1988 report is divided into five parts. The overview describes the contents of the parts and explains how they are interrelated, offers advice on how to use the report, and outlines the work of the NCSC's Court Statistics Project. Although designed to be consistent with previous reports in the series, the 1988 report introduces several new features that are highlighted in the overview.

Contents of the 1988 Report

The report presents caseload statistics; supplementary information on the jurisdiction, structure, and recordkeeping in each state's court system needed to compare and interpret caseload statistics; and commentaries that analyze the statistical and other information to portray the current situation of the state courts.

Part I begins the report with a general commentary on 1988 trial and appellate caseloads across the country. Part I highlights findings of general interest and explores the factors pertinent to any examination or analysis of caseload data. The situation of trial courts and appellate courts in 1988 is discussed and then placed in the context of trends in felony and tort case filings and in appellate caseloads since 1984.

Part II presents a special analysis of how cases were concluded in state trial courts during 1988. How frequently do civil and criminal cases go to trial? Are jury trials more common than bench trials for particular types of cases? Questions about the method of case disposition address concerns by the court community over the adequacy of court resources, the efficiency of case processing, and case outcomes. Part II assesses the current status of the information available on method of case disposition, uses that information to describe the situation in 1988, and suggests ways to improve the collection and publication of relevant data. The analysis draws on statistics collected annually by the NCSC's Court Statistics Project but not routinely published in its caseload statistics report series. Part II continues the practice of devoting a part of an annual report to issues of current interest to the state court community.

Caseload statistics are provided in Part III. The sixteen detailed tables are the core of the report. Appellate court caseloads in 1988 are enumerated in the first six tables. Table 1 gives the total caseload of appellate courts for the year and describes the comparability and completeness of the information that is presented. Other tables describe particular types of appellate cases and particular aspects of case processing.

Trial court caseloads in 1988 are detailed in the next six tables. Table 7 shows the total trial court caseload and the comparability and completeness of the underlying state statistics. Table 8 reviews the total number of cases filed and disposed for each state and individual courts within each state. Other tables describe the civil, criminal, juvenile, and traffic and other ordinance violation caseloads of state trial courts.

The remaining four tables are new. Table 13 and 14 bring together statistics for the years 1984-88 on mandatory and discretionary cases in state appellate courts. Table 15 contains the numbers of felony case filings in state trial courts for the same period. Table 16 reports the numbers of tort case filings for those five years. The new tables support the increased emphasis in the report series on the analysis of trends.

The tables of caseload statistics found in Part III are intended as basic reference sources. Each table compiles information from the 50 states, the District of Columbia, and Puerto Rico. In addition, the tables impose a degree of standardization. Particular features that affect the comparability of caseload information across states from year to year are appended to the tables. Footnotes to caseload numbers explain how a court system's reported caseloads are related to the standard categories for reporting such information recommended in the *State Court Model Statistical Dictionary*. A footnote alerts the user to three circumstances that qualify the validity of the reported number. Caseload numbers are cited if they are incomplete in the types of cases represented, they are overinclusive, or both. Numbers without footnotes should be interpreted as in compliance with the dictionary's standard definitions.

Part IV summarizes the structure of each state court system in the form of a one-page chart. The charts identify all of the state courts in operation during the year, describe their geographic and subject matter jurisdiction, note the number of authorized judicial posts, indicate whether funding is primarily local or state, and outline the routes of appeal that link the courts.

Part V lists the statutes and recordkeeping practices that may affect the comparability of caseload information reported by the courts. Eight figures note, for example, the time period used for court statistical reporting, whether calendar year, fiscal year, or court calendar year; define the method by which cases are counted in appellate courts and in criminal, civil, and juvenile trial court proceedings; and identify trial courts with the authority to hear appeals. The figures define what constitutes a case in each court, making it possible to determine which appellate and trial courts compile caseloads on a similar basis. The most important information in the figures is repeated in the main caseload tables (Part III). In the 1988 report, information detailing how trial courts resolve the specific issues raised when counting support/custody cases is located in Table 9, Part III, eliminating Figure I.

Appendix A explains the methodology used to collate the information provided by the states into a standard format.

Uses of Court Statistics

Caseload statistics are simply counts of the number of cases filed in and disposed of by a court and, if available, inventories of the number of cases pending at the beginning and at the end of the reporting period. That information provides building blocks that can be combined and used to construct answers to basic questions about the state courts: How many disputes are the courts asked to resolve? How many of those disputes are in fact decided?

Furthermore, caseload statistics can be combined with jurisdictional and other information in this report to describe the work and operations of the state courts. Topics that can be addressed include the composition of caseloads at different court levels, the extent of case specialization by particular courts, and the effect of discretionary review on the ability of appellate courts to avoid case backlogs.

Caseload statistics also offer a basis for determining the similarities and differences among state court systems. To what extent are appellate and trial courts in various states processing similar types of cases in similar volumes? States can then be grouped into distinct categories, and the impact of those distinctions on the ability of courts to keep up with their incoming caseloads determined. Caseload statistics for several years can be combined to discern trends. Felony case filings can be traced over time and compared to parallel patterns in case filings for other types of criminal offenses, or to trends in arrests or incarcerations. The extent of consistent national direction to changes in the level of civil litigation can also be studied.

There are limits, however, to the uses that can be made of available court caseload statistics. A court case is not analogous to a unit of currency. Financial accounts are precise and comparable among firms because accountants can make use of a standard unit, the dollar or other national currency. By contrast, court cases vary in subject matter and complexity. A criminal case can be an accusation of murder or of petty theft. A civil suit may seek to recover $25 in losses or $25 million. This report necessarily focuses on broad categories of cases: mandatory appeals and discretionary petitions for appellate courts; civil, criminal, and juvenile cases for trial courts. Despite these limitations, the outline of state court activity emerges from caseload statistics.

How to Use the Report

This report is designed to accommodate all of the above uses. The commentary in Part I is fashioned from material in Parts III, IV, and V. The user's purpose determines the parts to consult and the order in which they should be consulted.

Part I should suffice if the report is being used to obtain a general description of the work of the state courts. The methodology in Appendix A should be reviewed, however, before drawing conclusions.

The best route for obtaining information on a specific state or a specific state court is to read Appendix A and then consult the relevant caseload tables in Part III. Detailed information on the status of the information in the court or state can be found in footnotes to the tables in Part III, and in Parts IV and V. For example, the total caseload for the trial courts of Virginia can be found in Table 8, Part III. The absence of a footnote indicates that the total conforms to the specifications in the *State Court Model Statistical Dictionary* and a code indicates that parking violations are counted as court filings. The court structure chart for Virginia in Part IV describes the subject matter of the cases that comprise the total, while the figures in Part V provide details on the basis by which various types of civil and criminal cases are defined.

Differences in the size and composition of court caseloads reflect differences in how states distribute the jurisdiction to decide cases and in how states collect and disseminate court statistics. Comparisons among states or courts therefore require considerable care. Parts IV and V are essential for determining when like is being compared to like. Appendix A explains the conventions and codes that identify similar courts with similar caseload counts.

The NCSC Court Statistics Project

The NCSC Court Statistics Project was established in 1977 to develop a meaningful profile of the work of the state courts. The caseload report series and other project publications, such as the *State Court Model Statistical Dictionary,* seek to encourage uniformity in how courts and state court administrative offices collect and publish caseload information.

The 1988 report, like previous reports, is a joint effort by the Conference of State Court Administrators and the

National Center for State Courts. COSCA, through its Court Statistics Committee, oversees the preparation of project publications and provides policy guidance for devising or revising generic reporting categories and procedures. The NCSC provides project staff and support facilities. Preparation of the 1988 report is funded by a grant from the State Justice Institute to the NCSC.

The staff of the Court Statistics Project can provide advice and clarification on the use of the statistics from this and previous caseload reports. Project staff can also provide the full range of information delivered by the states. The prototype statistical profiles (Appendix C) used by project staff to collect data reflect the full range of information sought from the states. Most states provide far more detailed caseload information than that presented in Part III of this report.

Comments, suggestions, and corrections from users of the report are encouraged. Please direct questions about and reactions to the report to:

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National Center for State Courts
300 Newport Avenue
Williamsburg, Virginia 23187-8798

Part I
State Court Caseloads in 1988

State Court Caseloads in 1988

"A judicious man looks at Statistics not to
get knowledge but to save himself from having
ignorance foisted on him."
Thomas Carlyle

More than 98 million new cases were filed in state courts during 1988. Mandatory appeals and discretionary petitions to state appellate courts account for 221,000 cases. The remainder are trial court filings: 16.9 million civil cases, 11.9 million criminal cases, 1.4 million juvenile cases, and 68.2 million traffic or other ordinance violation cases.

Civil trial court filings, which include torts, contracts, domestic relations, and small claims cases, grew by 4.3 percent from the 1987 total. Criminal trial court filings, which include felony and misdemeanor cases, increased by 5.0 percent over the previous year's total. Rising filing levels also characterized state appellate courts, where filings of mandatory appeals grew by 4.9 percent and discretionary petitions by 1.9 percent.

With more than 98 million new cases, state courts resolve the overwhelming majority of legal disputes. By contrast, 45,043 appeals and petitions were filed in the federal appellate courts during 1988; 4,775 in the U.S. Supreme Court. There were also 240,232 new civil filings and 44,761 new criminal filings during 1988 in the U.S. District Courts, the main federal trial courts.[1] Consequently, five times as many appeals and 100 times as many civil and criminal trial court cases were filed in state courts than were filed in federal courts.

The caseload statistics reported here represent the most comprehensive picture available of the number and types of cases reaching appellate and trial courts nationwide. Basic filing and disposition data are available for all state appellate courts, although cases cannot always be divided into specific categories. Trial court caseloads are available for all but one state, although statistics for other states are incomplete, with traffic and ordinance violation cases being the most underreported.

Plan of Analysis

A primary goal of the Court Statistics Project is to collect and disseminate comparable state court caseload statistics. This report seeks to achieve three intermediate objectives in meeting that larger goal:

> To present caseload information in a manner that maximizes its comparability across states and uses that information to describe the work of state court systems during 1988.
>
> To highlight the similarities and differences among the states and, where possible, to relate that variation to the manner in which states organize their court system and other state characteristics.
>
> To develop a data series that describes trends in state court caseloads, thus monitoring change over time in state court systems.

As noted in the Overview, Part I has been refined and reformatted to meet more completely these objectives.

Trial courts are examined first. The section first highlights the quality of available trial court caseload data and references the location of more detailed data descriptions available in this volume. The section continues by describing and establishing patterns in caseload for both general and limited jurisdiction trial courts. Variation among states with respect to the filing and disposition of civil, criminal, and juvenile cases during 1988 is then reviewed and discussed.

Appellate courts are the focus of the second section of the commentary. Following a discussion of appellate court structure and jurisdiction, the comparability of appellate court caseload data is reviewed and the location of more detailed information elsewhere in this volume noted. The section continues by examining the distribution of the overall appellate court caseload in 1988. Variation among states in the rate at which two specific types of cases are filed is the focus: mandatory appeals and discretionary petitions. The section also reviews for each type of case the extent to which appellate courts kept pace in 1988 with their incoming caseload, and, for discretionary petitions, the percentage that the courts granted. Subsections examine the cases filed that appellate courts will decide on the merits and the number of opinions written during 1988.

The patterns found in state court caseloads in 1988 are then placed in the perspective of trends over the 1984-88 period. For appellate courts, the trend section focuses on recent changes in the level of mandatory and discretionary filings and dispositions. The emphasis is on the growth in appellate court caseloads and whether case dispositions are keeping pace with the influx of new cases. For trial courts, the focus is on the recent trends in the rate of filings of felony and tort cases, two types of cases that impose considerable demands on court resources, are subjects of contemporary public policy debates, and are defined consistently over time as caseload reporting categories.

---

[1] Filings in the U.S. Courts of Appeals and the U.S. District Courts are from *Want's Federal State Court Directory: 1989 Edition*, Washington, D.C. Want Publishing. Filings in the U.S. Supreme Court are from unpublished statistics provided by the Office of the Clerk and refer to the twelve months ending September 30, 1988. U.S. District Court filings do not include bankruptcy code filings, which are heard by bankruptcy judges, or misdemeanor cases heard by magistrates.

Part I concludes by reiterating the main findings and patterns that tie the tables, charts, graphs, and maps that were reviewed back to the three objectives.

Comparability and Reliability

The commentary in Part I is a synthesis of material from three other parts of the report: the main caseload statistics tables (Part III), the court structure charts (Part IV), and figures describing court jurisdiction and statistical reporting practices (Part V). Before proceeding, it is helpful to develop a working knowledge of factors that affect the comparability of the caseload statistics.

"Comparable" in this report refers to the standard for reporting court caseloads established by the Conference of State Court Administrators, through its Court Statistics Committee, as defined in the *State Court Model Statistical Dictionary*.[2]

Comparability is most often compromised when court caseload is incomplete because some types of cases that should be included are omitted; overinclusive when it contains some types of cases that should not have been included; or the caseload figures are both incomplete and overinclusive. Caseload comparability is also compromised when states use methods for counting cases that artificially inflate or deflate the magnitude of their case filings or case dispositions relative to other courts.

"Incomplete" means that types of cases that should be included in a count are omitted. For example, the definition of a criminal case found in the *State Court Model Statistical Dictionary* includes the offense of Driving While Intoxicated (DWI/DUI). A general jurisdiction trial court that reaches decisions in such cases but classifies them, for reporting purposes, with traffic violations rather than with criminal cases will have its total criminal caseload footnoted as incomplete.

Conversely, the count of traffic and other ordinance violation cases will be "overinclusive" in that court, since it includes cases that should, according to the standard, be classified as criminal. It is possible for a caseload count to be simultaneously incomplete and overinclusive if the total omits some types of cases and includes others that do not meet the definition.

Comparability is also affected by basic decisions a state or court makes when designing its court records system. One basic decision is the "unit of count." Some appellate courts count the receipt of the "notice of appeal" as the step that initiates the appellate process. Other courts wait until the trial court record is prepared and transmitted to the appellate court before counting a filing, by which time some appeals have been withdrawn, settled, or dismissed, especially in civil cases (see Figure B, Part V, p. 241).

Trial courts differ both in what is counted as a filing and in when the count is taken. For criminal cases, some courts count each charge, some count each defendant, and some count charging documents that contain multiple charges and/or multiple defendants. Counts are taken at an early stage in some courts, such as the filing of the complaint, while in other courts the counts are taken only when cases result in an arraignment. These practices are described using a common framework in Figure D, Part V (p. 253) in this report.

Trial courts tend to count civil cases at the filing of an initial petition or complaint with the clerk of court, but practices vary. What constitutes a case may differ by specific casetype; for example, courts differ in whether support/custody proceedings are counted as a case filing or as part of the marriage dissolution case. A common framework is used in this report to describe the method of count used in each state trial court system for civil cases generally (Figure H, Part V p. 271) and for support/custody cases specifically (Table 9, Part III).

Charts, graphs, and maps summarize caseload and related information from other parts of the report in a comparable manner. However, the differences in case volume observed in 1988 reflect many factors, including the constitutions, statutes, court structure and rules, and administrative recordkeeping practices of the 50 states, the District of Columbia, and Puerto Rico.

Trial Court Caseloads in 1988

This section begins with a summary of the overall activity during 1988 within state trial courts. It then highlights the distinction between courts of general and limited jurisdiction and reviews the overall completeness and comparability of the caseload data. The remainder of this section considers, in turn, civil, criminal, and juvenile cases. The main conclusions are summarized at the end of the section.

Overview

States reported 98,502,813 trial court filings for 1988, a total formed by 16,919,204 civil cases, 11,961,285 criminal cases, 1,435,857 juvenile cases, and 68,186,467 traffic and other ordinance violation cases. **Chart 1** displays filings for each casetype as a proportion of the total. Civil filings represented 17.2 percent of the total, criminal filings 12.1 percent, and juvenile filings 1.5 percent. More than two-thirds of the total (69.2 percent) consists of traffic/other ordinance violation cases.

Civil and criminal trial court case filings increased during 1988. When the comparison to 1987 filings is restricted to courts that reported relevant data in both years, the following changes are found. Civil filings in general jurisdiction courts increased by 3.5 percent and

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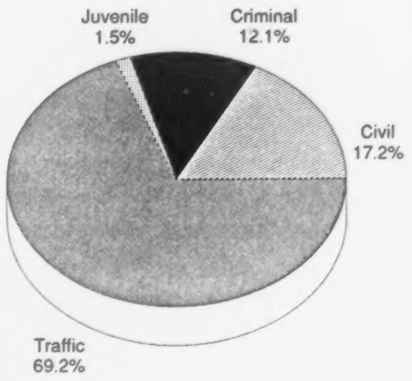
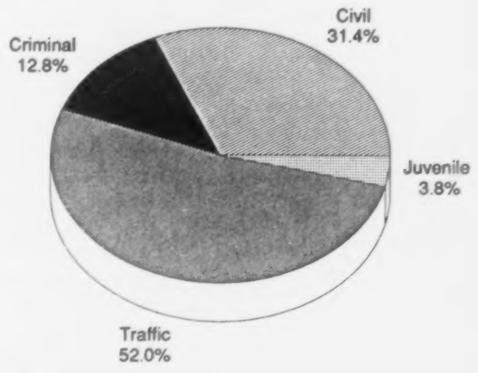
[2] Court Statistics Project, National Center for State Courts, *State Court Model Statistical Dictionary, 1989 Edition*. Williamsburg, Virginia: National Center for State Courts, 1989.

CHART 1: Trial Court Filings, 1988



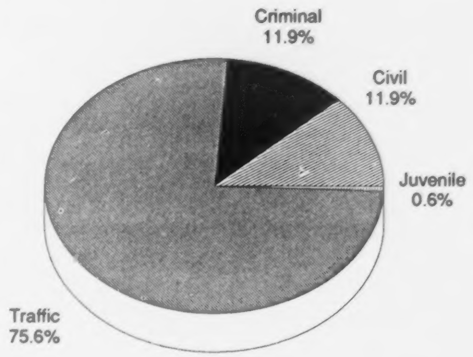
Total = 98,502,813

CHART 2: Trial Court Filings in General Jurisdiction Courts, 1988



Total = 26,680,462

CHART 3: Trial Court Filings in Limited Jurisdiction Courts, 1988



Total = 71,822,351

civil filings in limited jurisdiction courts by 5.1 percent. Criminal filings in general jurisdiction courts increased by 8.4 percent and criminal filings in limited jurisdiction courts by 3.8 percent.

General and Limited Jurisdiction Courts

General jurisdiction courts are major courts of record from which there is a right of appeal to the state intermediate appellate court (IAC) or court of last resort (COLR). Forty-four states in 1988 also had a lower trial court level, consisting of courts of limited jurisdiction. Variously called municipal, district justice, justice of the peace, or magistrate courts, these courts are usually restricted in the range of cases that they can decide.

There were an estimated 2,253 courts of general jurisdiction and 13,231 courts of limited jurisdiction in 1987. Case filings in those courts were heard by 8,937 judges of general jurisdiction courts and 18,563 magistrates, district justices, and justices of the peace of limited jurisdiction courts (Figure G, Part V, p. 269).

Of the reported total of 98,502,813 court filings, 26,680,462 were in general jurisdiction courts, 27.0 percent of the total. Despite the incompleteness of the data from many states, the respective roles of general and limited jurisdiction courts emerge from a comparison of the composition of their 1988 filings.

Chart 2 summarizes general jurisdiction court filings in 1988. Civil case filings represented nearly one-third of the total caseload (31.4 percent), criminal case filings nearly one-eighth (12.8 percent), and juvenile cases, 3.8 percent. Traffic/other violation cases represented the majority (52.0 percent) of all general jurisdiction court filings.

Chart 3 divides the total limited jurisdiction court caseload into the four main casetypes. Civil and criminal filings each accounted for 12 percent of the total, with juvenile filings representing 0.6 percent. The remaining three-fourths of the filings were traffic/ordinance violation cases.

Percentage shares derived from the national caseload should be viewed with caution. In particular, the actual role of the general jurisdiction court is obscured. The national data combine states that only have a general jurisdiction trial court with states that have a second trial court level. The national total also merges data from states that hear juvenile cases in their general jurisdiction courts with data from states that have established a court of specialized (limited) jurisdiction for that purpose.

The composition of general jurisdiction court caseloads is shown more clearly by focusing on states with a two-tier trial court system. First, where juvenile cases are heard exclusively in the general jurisdiction court, the composition of case filings in 1988 was 70.4 percent civil, 18.9 percent criminal, and 10.7 percent juvenile.[3] Second, where juvenile cases are heard in courts of special jurisdiction, the 1988 case filings were 66.4 percent civil and 33.6 percent criminal.[4] Whether a case is filed in the general jurisdiction or in the special juvenile court often is primarily determined by the age of the defendant, based on statute provisions that vary among the states in ways that will be discussed in the subsection on juvenile filings.

Completeness and Comparability of Data

As a national figure, the 98 million trial court cases reported is incomplete. The deficiency is mainly in the reported traffic/other ordinance violation filings. Only 15 states and the District of Columbia reported complete (although at times overinclusive) data on their traffic/other violation caseloads. Generally, problems of comparability and completeness are more serious for trial court than for appellate court caseload statistics. Mississippi did not report trial court caseload data.[5]

The completeness of civil and criminal caseload data from the other 49 states, the District of Columbia, and Puerto Rico is outlined in Table 7, Part III (p. 111). Other tables in Part III display the number of case filings and case dispositions for the four main trial court casetypes, noting instances where court statistics are incomplete, overinclusive, or simultaneously incomplete and overinclusive: total civil caseloads, Table 9; total criminal caseloads, Table 10; total traffic/other ordinance violation caseloads, Table 11; and total juvenile caseloads, Table 12. The sum of all four casetypes, by court and by state, is presented in Table 8.

Before examining and comparing state filing rates and clearance rates, it is also useful to highlight some important dimensions on which state trial court systems differ. State trial court systems are diverse in structure and division of jurisdiction among courts and between the two levels of courts.

Differences in court structure and jurisdiction can be important for understanding the comparability and completeness of caseload data from a state.

The conventional wisdom of court reform stresses the virtues of consolidation. In trial courts, this is manifest in the move toward uniform and simple jurisdiction. Uniform jurisdiction means that all trial courts at each level have identical authority to decide cases. Simple jurisdiction means that the allocation of subject matter jurisdiction does not overlap between levels.[6] The degree of consolidation of a state's trial courts offers a basis for classification.

In six states and the District of Columbia, consolidation has resulted in a single trial court that has jurisdiction over all cases and proceedings. The other 44 states have a two-tier trial court system but differ in the degree to which jurisdiction is allocated in a uniform and simple manner. **Map 1** summarizes the differences present in court structure during 1988. Four court structures are differentiated:

(1) Unified: Six states (Idaho, Illinois, Iowa, Massachusetts, Minnesota, and South Dakota) and the District of Columbia with all trial courts unified.

(2) Mainly Consolidated: Fifteen states with two court levels, but in which all limited jurisdiction courts have uniform jurisdiction.

(3) Mixed: Sixteen states with two court levels that overlap in their jurisdiction.

(4) Complex: Fifteen states in which there are several general jurisdiction courts and/or a multiplicity of limited jurisdiction courts that overlap in jurisdiction both with courts at the same level and with courts at the general jurisdiction level.[7]

Reference to the court structure charts in Part IV testifies to the varying degrees of complexity that distinguish the four types of court structure.

The Composition of Trial Court Caseloads in 1988

A more in-depth analysis of civil, criminal, and juvenile cases follows. The discussions of civil, criminal, and juvenile cases include consideration of the relative use of general and limited jurisdiction courts, filing rates per 100,000 population, and clearance rates.

CIVIL FILINGS IN 1988. States reported the filing of 16,919,204 civil cases in 1988. A civil case is a request for the enforcement or protection of a right, or the redress or prevention of a wrong. To meet the definition recom-

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[3] This is based on data from four states: Arkansas, Arizona, California, and Florida. Percentages were derived by combining unweighted case filings.

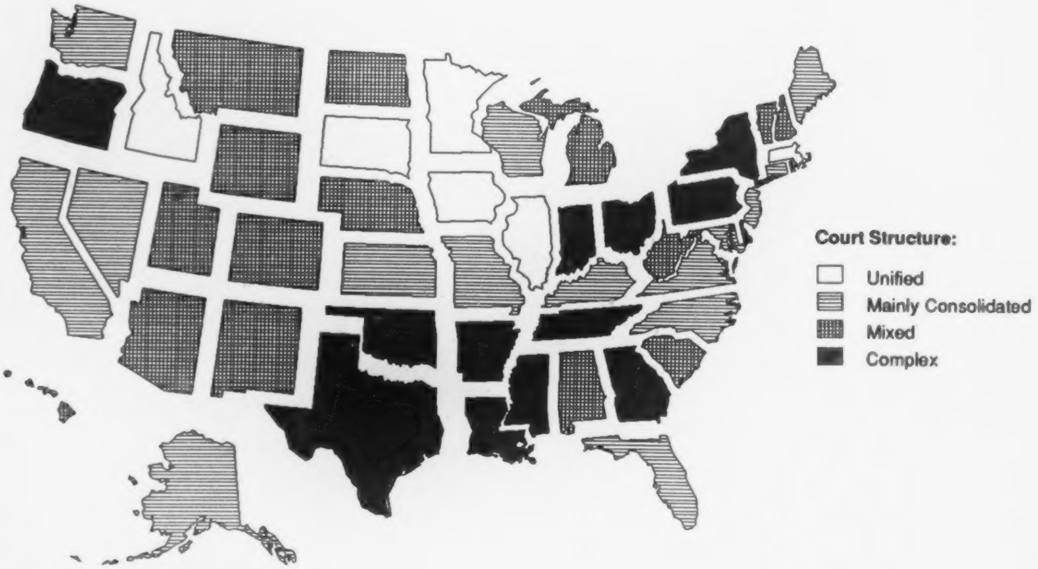
[4] This is based on data from two states: Michigan and North Carolina. Percentages were derived by combining unweighted case filings.

[5] Trial court statistics from Nevada are included for the first time in the caseload report series.

[6] The "conventional wisdom" is that articulated by the American Bar Association in its *Standards Relating to Court Organization*, Chicago: ABA, 1974, pp. 1-10.

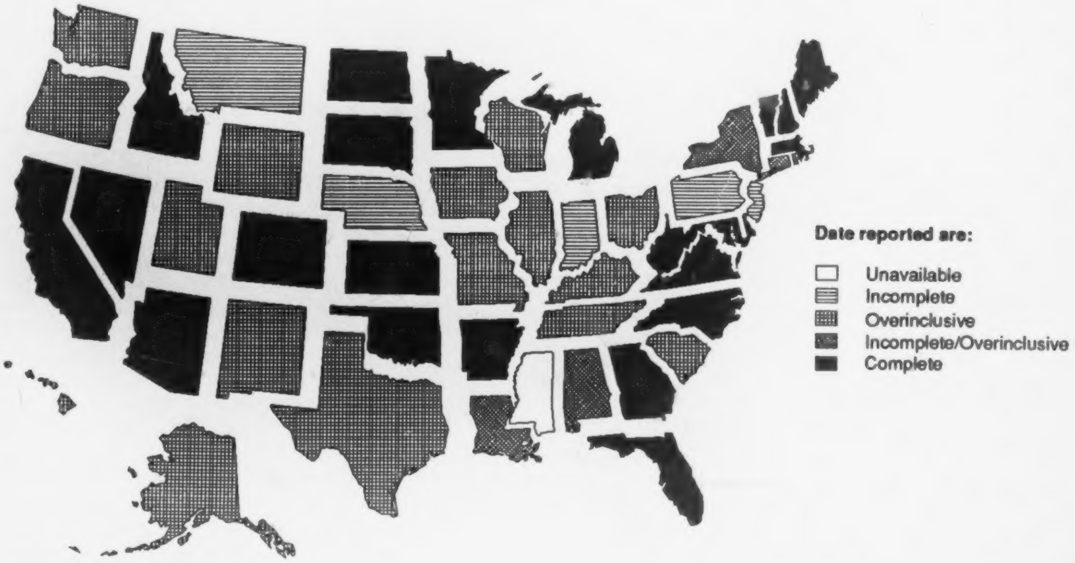
[7] States are assigned to categories based on information contained in David Rottman, Robert Roper, and Dixie Knoebel, *State Court Organization 1987*, Williamsburg, VA: National Center for State Courts, 1988. An earlier typology of state court systems based on the number of courts and the allocation of jurisdiction among the courts can be found in Henry R. Glick, "State Court Systems," pp. 682-700 in R. Janosik (ed.) *The Encyclopedia of the American Judicial System*, New York: Scribners, 1987, p. 688.

MAP 1: Trial Court Structures, 1988


Court Structure:
☐ Unified
▤ Mainly Consolidated
▦ Mixed
■ Complex

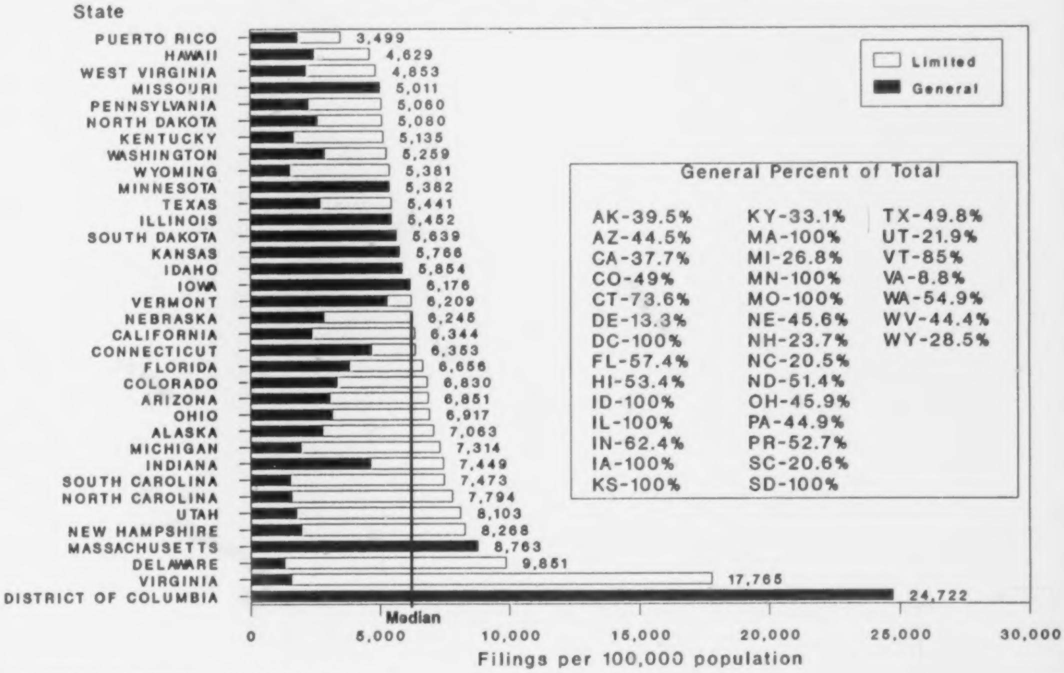
Source: Court structure charts in Part IV
National Center for State Courts, 1990

MAP 2: Comparability of Civil Filing Data in General Jurisdiction Courts, 1988


Date reported are:
☐ Unavailable
▤ Incomplete
▦ Overinclusive
▩ Incomplete/Overinclusive
■ Complete

Source: Table 9 in Part III
National Center for State Courts, 1990

GRAPH 1: Civil Case Filings per 100,000 Population in State Trial Courts, 1988



The following states are not included:
AL, AR, GA, LA, ME, MD, MS, MT, NV, NJ, NM, NY, OK, OR, RI, TN, WI.

mended by the *State Court Model Statistical Dictionary*, the category should include all torts, contracts, real property rights, small claims, domestic relations, mental health, and estate cases over which the court has jurisdiction. It also includes all appeals of administrative agency decisions filed in the court and appeals of decisions of limited jurisdiction trial courts in civil cases to general jurisdiction courts. A review of the footnotes to Table 9, Part III (p. 123) indicates the degree to which states report data conforming to the recommended definition. **Map 2** summarizes the impact of the footnotes on the general jurisdiction court filing data reported by each state.

Graph 1 displays the total civil case filings in 33 states, the District of Columbia, and Puerto Rico. The range is from 3,499 filings per 100,000 population in Puerto Rico to 24,722 in the District of Columbia. Nebraska has the median filing rate of 6,245. The magnitude of the range is deceptive. Most states report filing rates clustered near the median. Hawaii has the second lowest filing rate of 4,629 per 100,000 population, a rate only 26 percent below the median. At the top of the range, the filing rate for Virginia is 2.8 times greater than the median. But Virginia and the District of Columbia clearly stand apart from the other jurisdictions included in the graph. Delaware, with the third highest filing rate, reported 9,851 filings per 100,000 population—58 percent above the median.

Reported civil caseloads are affected by the point at which filings are counted, whether reopened cases are treated as new filings, and the manner in which support/custody proceedings are incorporated into court statistics on marriage dissolution cases. Figure H, Part V (p. 271), details the method by which each court counts civil cases and Table 9, Part III (p. 123), details the method by which support/custody cases are counted.

Different approaches to counting civil, and especially support/custody, caseloads affect the ranking of states in Graph 1. The limited jurisdiction court in Virginia, the district court, regards all reopened civil cases as new filings, counts support/custody proceedings as separate filings, and enters changes to a marriage decree as a case commenced. Most states, and the general jurisdiction court in Virginia, the circuit court, do not count reopened civil cases as new filings and count support/custody proceedings as part of the original marriage dissolution filing unless issues that arise at a later point in time or as a post-decree action are involved. Because the method of count varies between the general and limited jurisdiction courts in Virginia, the allocation of subject matter jurisdiction also is relevant. The circuit court in

Virginia has exclusive domestic relations jurisdiction, with the exception of support/custody cases, which can be heard in the district court. Thus, the relatively high rate of civil filings in Virginia, and the atypical concentration of civil cases in the state's limited jurisdiction courts, is attributable, in part, to choices made when designing court recordkeeping procedures.

Courts hearing child support/custody cases in Florida, Pennsylvania, South Dakota, Vermont, and Wyoming also count cases in a way that inflates their total civil filing rate relative to other states. A uniform method of counting would alter the ranking of states found in Graph 1, but it is unlikely that the impact would be dramatic.

Differences in counting practices may affect the relative share of the civil caseload heard in courts of general and limited jurisdiction in a state, as was noted for Virginia. However, differences in the allocation of subject matter jurisdiction are more likely explanations for why the flow of case filings is mainly toward one court level. Delaware is an example. While the overall high civil filing rate found in that state may reflect the state's popularity among companies seeking a jurisdiction in which to register as a corporation, Delaware is distinctive in having five separate limited jurisdiction courts with the authority to hear civil cases, including the family court, which has exclusive jurisdiction over domestic relations cases. Fewer than one of every eight civil cases in Delaware is filed in one of the state's two general jurisdiction court systems. Delaware's combination of a high filing rate and multiple limited civil jurisdiction courts is consistent with the general observation that states with high total civil filing rates have allocated substantial relevant subject matter jurisdiction to lower level courts. However, even here there is an exception. Massachusetts, with a unified trial court system, has the fourth highest state filing rate: 8,763 per 100,000 population.

There is little evidence linking the size of the civil court filing rate in a state to the appellate filing rate. For example, Massachusetts has the second *lowest* appellate filing rate (see p. 23) and the fourth *highest* civil trial court filing rate. The District of Columbia is the only jurisdiction to report high levels for both rates. With the possible exception of Alaska, other states with high appellate rates are found at all points in the state ranking based on civil trial court filings.

Clearance Rates for Civil Cases. Trial courts that disposed of more civil cases during 1988 (cases that may have been filed in previous years) than were filed reduced the size of their pending civil caseload. **Text Table 1** abstracts the relevant information from Table 9, Part III (p. 123) to present a clearance rate for general jurisdiction and limited jurisdiction courts with the authority to hear civil cases. The two court levels are shown separately, with courts listed from lowest to highest statewide civil clearance rate.

Thirty-nine courts of general jurisdiction and 20 courts of limited jurisdiction are included in Text Table 1. Most states ended 1988 with a larger pending caseload than had been present at the start of the reporting year. Looking first at courts of general jurisdiction, only 12 of the

TEXT TABLE 1: Trial Court Clearance Rates for Civil Cases, 1988

	General Jurisdiction	
State	**1988**	**1987**
Florida	85.6%	87.8%
Hawaii	86.0	95.4
Washington	86.6	85.3
Maryland	86.8	80.0
California	87.5	76.2
Montana	87.5	84.5
New Hampshire	88.1	96.4
Delaware	90.1	79.8
Illinois	91.5	96.1
Arizona	92.3	94.4
Alaska	92.5	96.6
Maine	93.0	101.1
North Carolina	93.5	91.4
Oklahoma	94.9	90.5
West Virginia	95.7	110.5
Virginia	95.9	89.7
Texas	96.8	99.4
South Carolina	97.2	101.0
Kentucky	97.9	98.2
Indiana	98.2	101.9
Rhode Island	98.3	97.6
Pennsylvania	98.5	96.6
North Dakota	98.8	95.8
Kansas	99.5	99.3
New Jersey	99.6	99.7
Ohio	99.8	98.3
Vermont	99.9	100.3
Alabama	100.0	95.9
Arkansas	100.4	97.6
Idaho	100.5	101.9
Nebraska	100.7	102.9
Minnesota	100.8	100.6
District of Columbia	101.1	101.0
Puerto Rico	101.1	98.1
Colorado	102.3	97.7
Michigan	104.3	107.1
New Mexico	104.6	95.1
New York	108.1	76.0
Wyoming	120.2	121.2

	Limited Jurisdiction	
State	**1988**	**1987**
California	74.1%	74.7%
Washington	76.8	82.6
Alaska	77.8	76.0
Hawaii	91.4	90.0
North Dakota	91.5	93.1
Florida	91.6	90.7
Puerto Rico	93.0	98.2
Texas	93.1	91.0
Kentucky	93.2	90.4
Indiana	93.2	97.7
Vermont	93.3	89.8
Arizona	93.9	93.3
North Carolina	95.8	96.3
West Virginia	96.5	97.3
Nebraska	98.9	98.9
Virginia	100.9	99.8
Delaware	102.6	95.7
Ohio	102.8	96.7
Colorado	102.9	96.7
South Carolina	102.9	101.0

Source: Table 9, Part III
National Center for State Courts, 1990

39 reported clearance rates of 100 percent or greater. The courts of Wyoming reported the largest clearance rate: 120.2 percent. With the exception of New York, with a rate of 108.1 percent, most of the other states that disposed of more cases than were filed did not greatly reduce the size of their pending caseloads. The general jurisdiction court systems of an additional 13 states reported clearance rates of between 95 and 100 percent. Seven states reported clearance rates falling between 90 and 95 percent, while seven of the 39 states reported clearance rates of less than 90 percent, with the 85.6 percent in Florida marking the lowest reported rate for that year.

To address the question of whether the patterns found in 1988 reflect short-term or long-term problems of the state courts, Text Table 1 includes the clearance rates of the general and limited jurisdiction courts of each state recorded in 1987. For most general jurisdiction courts clearance rates are similar in the two years. Moreover, the changes that occurred were evenly split between increases and decreases, with 15 declining clearance rates and 17 increasing rates; in the remaining seven court systems there was no real change.

Clearance rates can be calculated for the limited jurisdiction courts of 20 states. The courts of five of those states reported clearance rates of 100 percent or greater. The highest rate was 102.9 percent, recorded in both Colorado and South Carolina. In three states, the clearance rate was between 95 and 100 percent, and in a further nine it was between 90 and 95. Limited jurisdiction courts in three states—California, Washington, and Alaska—reported lower clearance rates. The same court systems reported the lowest rates in 1987, suggesting long-term rather than short-term factors underlie difficulty in keeping pace with the flow of new cases.

Overall, however, civil clearance rates were marginally better in 1988 than in the previous year. Some states experienced striking changes of fortune, exemplified in the abrupt shift in the New York general jurisdiction courts from a 76 percent to a 108.1 percent clearance rate. The more extreme year-to-year changes, however, often have simple explanations. Here, filing fees appear to be responsible. The filing fee at the general jurisdiction court level was increased from $35 to $100 during 1988, leading plaintiffs in New York State to file their complaints in limited jurisdiction courts charging considerably lower fees (see p. 32). Since the number of dispositions was not greatly affected, the number of cases disposed of during 1988 significantly exceeded the number of new filings, yielding a high clearance rate for the year.

It remains the case that most courts at both levels failed to keep pace with the flow of new case filings. Most ended 1988 with a larger pending caseload than had been present at the start of the year.

CRIMINAL FILINGS IN 1988. States reported 11,961,285 new criminal case filings in 1988, 28.5 percent in courts of general jurisdiction. Case filing data from Mississippi and Nevada are not available for 1988 and the caseload data reported by courts in many states either include other casetypes, particularly ordinance violations, or omit casetypes that should be included, particularly DWI/DUI cases. **Map 3** summarizes the impact this has on the general jurisdiction court data reported by each state. Generally, criminal case filing statistics are compiled less consistently than statistics on civil caseloads.

The *State Court Model Statistical Dictionary* defines a criminal case as one in which a defendant is charged with the violation of a state law. Subcategories of criminal cases include felonies, misdemeanors, driving while intoxicated (DWI/DUI), and appeals of trial court cases. Felonies that can be tried to completion in the court in which they are filed are distinguished from felony cases that must be bound over for trial to another court. Limited jurisdiction courts in most states hold preliminary hearings for felony cases and in 26 states can dismiss a felony case; however, such courts can sentence convicted felons in only six states (Alabama, Indiana, Maine, Maryland, Rhode Island, and South Carolina).[8] Filings of felony cases in limited jurisdiction courts for the purpose of conducting preliminary hearings are not added to the state criminal caseload if the result is a defendant being bound over for trial in another court. Such cases are thus only counted once, as a filing in the court of general jurisdiction.

Graph 2 displays the total criminal filings per 100,000 population for states that report data from all courts with relevant subject matter jurisdiction.[9] Thirty-four states, the District of Columbia, and Puerto Rico are included. Reference to the footnotes to the statistics in Table 10, Part III (p. 132) indicates why the remaining states were excluded and the extent to which the caseload for a state at either the general or limited jurisdiction level is incomplete or overinclusive.

The size of state criminal caseloads varies substantially. Rates per 100,000 population range from a low of 1,599 reported by Kansas to a high of 14,994 reported by Delaware; the same states defined the lower and upper bounds of the range in 1986 and 1987. The nearly tenfold difference from lowest to highest rate and the dispersion around the median contrast sharply with the consistency found for state civil filing rates. Variation among the states in crime rates and prosecutorial practices explain part of that variation. However, differences in how and when criminal cases are counted also affect the filing rates per 100,000 population.

The median filing rate is 4,769. The consistency in criminal filing rates between 1987 and 1988 at either extreme is quite noticeable. Eight jurisdictions report distinctively low rates of criminal filings: Kansas, Iowa, Colorado, Oklahoma, Missouri, Puerto Rico, Michigan, and Hawaii. The same eight jurisdictions in the identical rank order had the lowest filing rates in 1987.

Rates that substantially exceeded the median are found in five states. The same states maintained the

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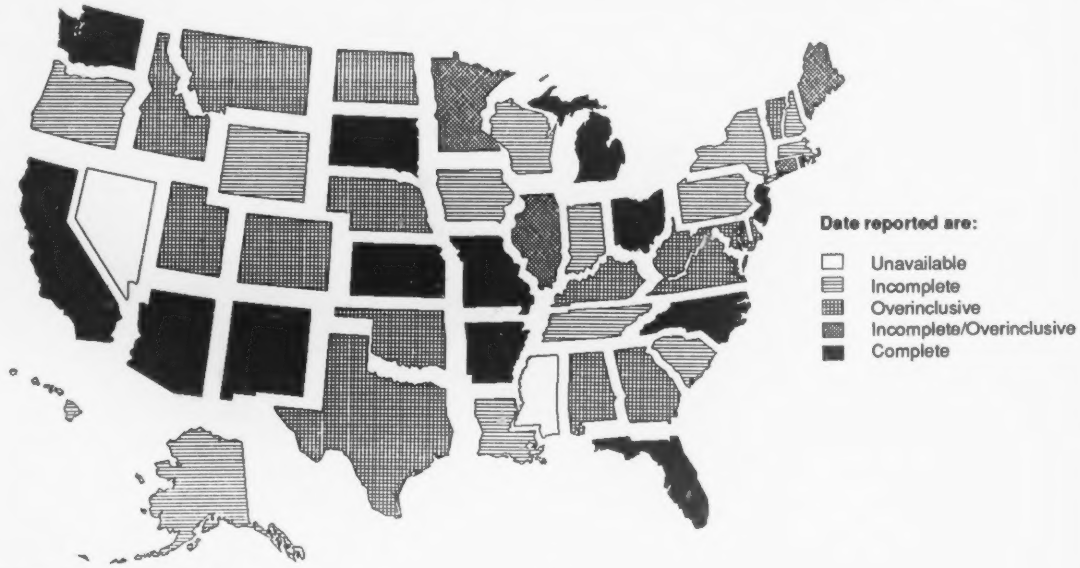
[8] D. Rottman, R. Roper, and D. Knoebel, *State Court Organization 1987*. Williamsburg, VA, 1988, Table 16, pp. 221-239.

[9] Filing rates in Table 10, Part III, are computed on the basis of state adult population, the practice in previous caseload statistics reports. Graph 2, however, uses total population to derive filing rates, thus facilitating comparisons to the size and ranking of state civil filing rates.

MAP 3: Comparability of Criminal Filing Data in General Jurisdiction Courts, 1988



Source: Table 10 in Part III
National Center for State Courts, 1990

same rank ordered positions they held in 1987: Virginia, Arizona, North Carolina, Texas, and Delaware form a cluster of states that reported more than 8,000 filings per 100,000 population.

The ranking of states on Graph 2 (particularly at either extreme) is influenced by the unit of count and the point at which the count is taken in compiling court statistics. Figure D, Part V (p. 253), describes, and Table 10, Part III (p. 132), summarizes, the practice in each court with criminal jurisdiction. The unit of count is defined by (a) whether a case filing contains charges facing only an individual defendant or if two or more defendants can be included in one filing, and (b) whether the count is taken by charge or charging documents that contain one charge, one incident, or multiple incidents.

States and trial court systems within states have adopted different bases by which criminal cases are counted. The impact of such variation is considerable. Some states take the count of filings at an early stage in the process, typically the filing of a complaint, information, or indictment; other states only count a case as filed when the defendant enters a plea. The number of defendants per case and the number of charges per charging document will also greatly affect the number of cases reported as filed during a year.[10]

Consideration of the unit of count and point of filing used to compile the statistics explains, in part, the ranking of individual states on Graph 2. The state with the lowest filing rate, Kansas, counts filings at the first appearance before the court by the defendant, a later point than the filing of the information or indictment used by most states. Hawaii (in the district court) is the only other state following that practice; it, too, has a relatively low filing rate. By contrast, states with the highest filings tend to count each charge against each defendant as a separate filing: Arizona, Delaware (in its courts of limited jurisdiction, with the exception of the family court), Texas, and Virginia. Other states following that practice tend to be found in the top half of the ranking; Hawaii is the exception, but its use of a later than typical point for taking the count compensates for the effect of basing the count on charges rather than incidents.[11]

Thus, some of the variation found in Graph 2, perhaps a substantial amount, is attributable to the impact of

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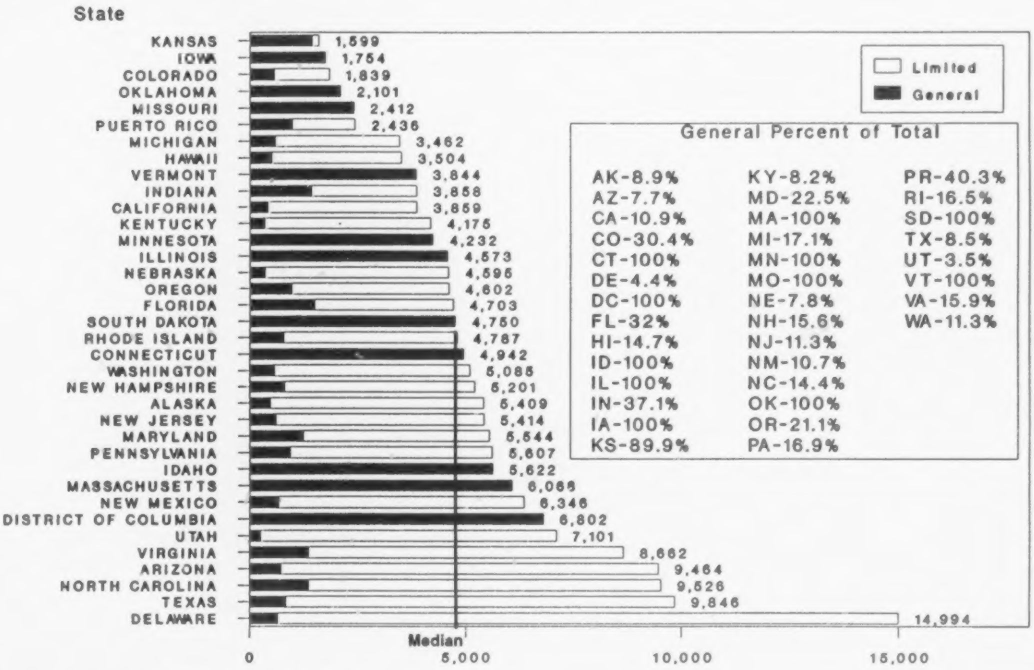
[10] A 1985 directory survey of general jurisdiction courts, carried out by the U.S. Bureau of the Census for the Bureau of Justice Statistics, found that 80 percent of the courts based their felony count on defendants and that 75 percent of convicted defendants were convicted on one charge. The survey also suggests substantial variation among individual courts within a state and identified counties that use more than one unit of count when compiling their criminal caseload data.

[11] The high rate of criminal filings recorded in Delaware, however, meshes with that state's rate of prison sentences per 100,000 population, which is one of the highest in the nation. In 1988, Delaware reported 354 sentences of imprisonment per 100,000 resident population, the third highest rate among the states (Nevada and Louisiana reported higher rates). Lawrence Greenfield, *Prisoners in 1988*. Washington D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 1989, p. 2. Problems of comparability exist, however, for prison incarceration rates as well as filing rates, with the Delaware statistics including both jail and prison inmates.

GRAPH 2: Criminal Filings per 100,000 Population in State Trial Courts, 1988



The following states are not included:
AL, AR, GA, LA, ME, MI, MT, NE, NY, ND,
OH, SC, TN, WV, WI, WY.

differences in how courts maintain statistical records, rather than to known differences among states in crime rates or in the propensity to prosecute. Differences also reflect the status of ordinance violation cases, which the definition of a criminal case excludes from the count of a state's total criminal caseload. The counts of criminal cases from the courts of Delaware and Virginia, two states with high filing rates, include some ordinance violation cases in their criminal caseloads. However, other states for which that is true—New York, Ohio, Oklahoma, Pennsylvania, and Vermont—are found at all points in the ranking shown in Graph 2.

There is little evidence linking the rate of criminal trial court filings in a state to the rate of appellate filings. Alaska, Arizona, and the District of Columbia report high rates of both appeals (see pp. 20–23) and trial court filings, while Massachusetts and North Carolina report relatively high rates of criminal filings and low rates of appeals. As with civil filings, the rankings for most states on appellate and trial court filing rates appear unrelated.

There is stronger evidence suggesting that some states have consistently high or low filing rates for civil and criminal cases. Civil filings in the District of Columbia, Delaware, Massachusetts, and Utah were far higher than in the median rate at which most states clustered. All four jurisdictions reported relatively high criminal filing rates. Missouri reported low filing rates for both civil and criminal filings.

Clearance Rates for Criminal Cases. **Text Table 2** summarizes the information on clearance rates available from Table 10, Part III. Clearance rates are shown for the general jurisdiction courts of 38 states, the District of Columbia, and Puerto Rico. Of these, five reported clearance rates greater than 100 percent: North Dakota (100.5 percent), Delaware (104.3 percent), Kansas (106 percent), West Virginia (106.6 percent), and Montana (110.4 percent). Twenty jurisdictions, including the District of Columbia and Puerto Rico, reported clearance rates in the 95-100 percent range, with Michigan and Vermont fractionally below 100 percent. Rates in the 90-95 percent range were recorded in six states. Nine states reported clearance rates of lower than 90 percent, with Hawaii reporting the lowest clearance rate—53.5 percent. Thus, during 1988, only one state in eight managed to keep pace with the flow of new case filings, the remainder adding to the stock of cases pending before their general jurisdiction trial courts, with one state in five adding a substantial block of cases.

Limited jurisdiction courts, which in most states hear and decide the bulk of criminal caseloads (see Graph 2),

TEXT TABLE 2: Trial Court Clearance Rates for Criminal Cases, 1988

State	General Jurisdiction 1988	1987
Hawaii	53.5%	76.0%
Rhode Island	81.0	101.3
Washington	85.1	86.8
Nebraska	88.8	104.4
Florida	88.8	92.7
Missouri	89.2	91.1
Oklahoma	89.4	89.2
New Jersey	89.5	94.2
Maryland	89.8	81.3
Maine	91.2	95.3
South Carolina	91.3	99.4
Alabama	92.0	94.5
Oregon	93.6	92.2
Iowa	94.5	96.0
Alaska	94.7	89.8
New Mexico	95.1	93.3
Connecticut	95.5	95.1
Indiana	95.5	88.7
Virginia	95.5	93.2
Arizona	95.6	91.8
North Carolina	95.7	97.2
Illinois	97.2	103.8
Puerto Rico	96.0	98.7
California	96.1	94.3
Idaho	96.1	98.6
New York	96.2	99.5
Wyoming	96.4	105.3
Pennsylvania	96.6	97.9
Minnesota	97.2	94.9
District of Columbia	97.4	101.9
Ohio	97.7	99.0
Colorado	97.8	102.2
Kentucky	99.2	97.8
Michigan	99.7	95.8
Vermont	99.9	94.4
North Dakota	100.5	90.9
Delaware	104.3	106.0
Kansas	106.0	103.4
West Virginia	106.6	103.6
Montana	110.4	119.3

State	Limited Jurisdiction 1988	1987
Washington	73.1%	85.1%
California	83.4	82.5
Florida	86.3	84.8
Rhode Island	88.0	91.0
Michigan	91.7	95.4
Oregon	91.9	92.2
New Jersey	92.3	93.4
Arizona	92.4	84.3
Hawaii	92.5	95.9
Kentucky	94.7	96.4
Nebraska	95.0	97.7
Puerto Rico	95.4	98.8
Alaska	95.6	92.1
Colorado	96.0	99.0
North Carolina	97.3	97.7
Delaware	99.8	98.7
Virginia	100.3	100.7
New Mexico	100.7	78.4
Indiana	101.6	92.4
Kansas	112.7	

Note: A blank space indicates that a calculation is inappropriate for that year.

Source: Table 10, Part III

National Center for State Courts, 1990

were only slightly more successful in coping with the flow of new cases. In four of the 20 states included in Text Table 2, the clearance rate exceeded 100 percent. Five states were in the 95-100 percent range and seven in the 90-95 percent range. Four of the 20 states reported limited jurisdiction court filing rates of less than 90 percent.

Most statewide trial court systems were unable to keep pace with the increasing volume of criminal cases. Since the number of cases disposed of during the year fell short of the number of new filings, the pending caseload grew, although the data do not tell us by how much. By whatever margin it grew, however, the change has serious implications. Cases are being handled less expeditiously than previously and courts are accumulating problems that must be confronted in subsequent years. Also, courts appeared to have coped more successfully with the rise in civil cases than with the rise in criminal cases. Criminal cases are generally subject to more stringent time standards for case processing than are civil cases. This suggests that the large influx of new criminal cases during 1988, an increase at the general jurisdiction court level of 8.4 percent, is creating problems that warrant serious concern and corrective action.

One index of the magnitude of the problem courts face is the extent to which 1988 clearance rates differ from those recorded in the previous year. Among general jurisdiction courts, 23 reported lower rates in 1988 than in 1987 and 15 higher rates. The clearance rates for the general jurisdiction courts of two states were essentially unchanged. Among limited jurisdiction courts, the change was more evenly divided between increases and decreases: eight states show a decrease and six an increase. The downward shifts at both court levels tended to be more substantial than shifts toward higher, improved clearance rates. The overall impression is of statewide court systems facing considerable difficulty in responding to the growth in criminal filings.

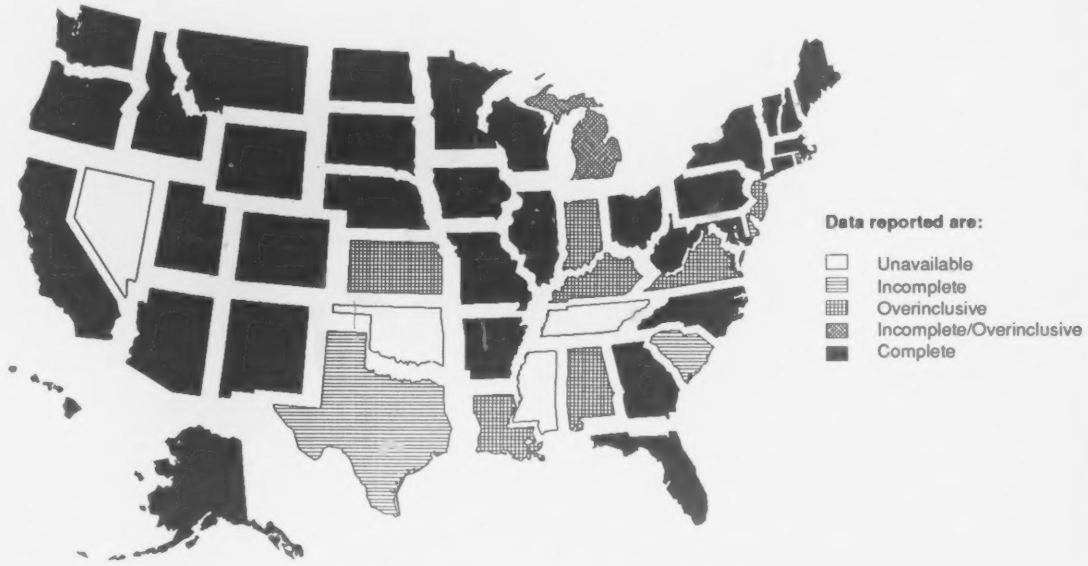
JUVENILE FILINGS IN 1988. The 1,435,857 juvenile petitions filed during 1988 represent a small share (1.5 percent) of the total reported trial court caseload. Even when traffic and ordinance violation cases are omitted, juvenile petitions only account for about one trial court filing in 22 (4.7 percent).

Juvenile caseloads reflect the use made of the various special procedures (sometimes special jurisdiction trial courts) that have been established to hear cases involving persons defined by state law as juveniles. The casetype includes criminal-type juvenile petitions, status offense petitions (conduct illegal only for children), and child victim petitions. A juvenile petition is the equivalent to a case filing in an adult trial court case.

Most states now decide juvenile petitions within a court of general jurisdiction, although often in a specially designated division or department. As a result, nearly three quarters (73 percent) of all juvenile petitions were filed in a court of general jurisdiction, where they represent 8.3 percent of the combined civil, criminal, and juvenile caseload.

Filing and disposition statistics, along with explanatory footnotes, for each court with juvenile subject matter

MAP 4: Comparability of Juvenile Filing Data, 1988



Source: Table 12 in Part III
National Center for State Courts, 1990

jurisdiction can be found in Table 12, Part III (p. 149). Relevant statistics were not reported by Mississippi, Nevada, Oklahoma, and Tennessee. **Map 4** describes the comparability across the remaining states of statistics on the number of juvenile petitions filed in 1988, based on the footnotes to Table 12.

Juvenile caseloads emerge as the most variable component of state trial court caseloads. This describes both the share that juvenile petitions represented of new case filings in a state's trial courts and the rate of new cases filed per 100,000 juveniles in the state population during 1988.

Graph 3 demonstrates the variability present in the rate at which juvenile petitions were filed during 1988, with the rates calculated per 100,000 state residents age 17 or under. Forty-one states, the District of Columbia, and Puerto Rico are included.[12] The bars in the graph distinguish filings in a court of general jurisdiction from those in courts of limited or special jurisdiction. All filings in Kentucky, Maine, Michigan, Nebraska, New Hampshire, New York, North Carolina, Rhode Island, Utah, and Virginia were in a court of limited jurisdiction. All juvenile petitions in 27 of the states included on the graph were filed in a general jurisdiction court; only Alabama, Alaska, Indiana, Louisiana, and Maryland reported juvenile filings at both court levels.

Juvenile filing rates per 100,000 juvenile population vary widely from 620 in Puerto Rico and 622 in Montana to 9,946 in the District of Columbia. New Jersey had the second highest filing rate (6,878), which is nearly one-third less than that reported for the District of Columbia. The median filing rate was 1,923, reported by the courts of Pennsylvania. Thus, although there is a wide range in juvenile filing rates, most states are concentrated at relatively low levels.

What explains this diversity, so much greater that what was found for either civil or criminal filing rates? One factor is the divergent means and degrees to which states have established special procedures and courts to process cases involving delinquent juveniles. The composition of "civil" and "criminal" as caseload categories does not differ significantly from state to state, with much the same type of cases forming the 1988 filings of each state. There is no such broad agreement on what constitutes a "juvenile" case. What is heard through regular court procedures in one state may well be heard in a special juvenile court in another.

That difference is manifest in the age at which a person is no longer eligible for juvenile court handling. Most states define a juvenile as a person under age 18, often with exceptions based on the offense alleged (for

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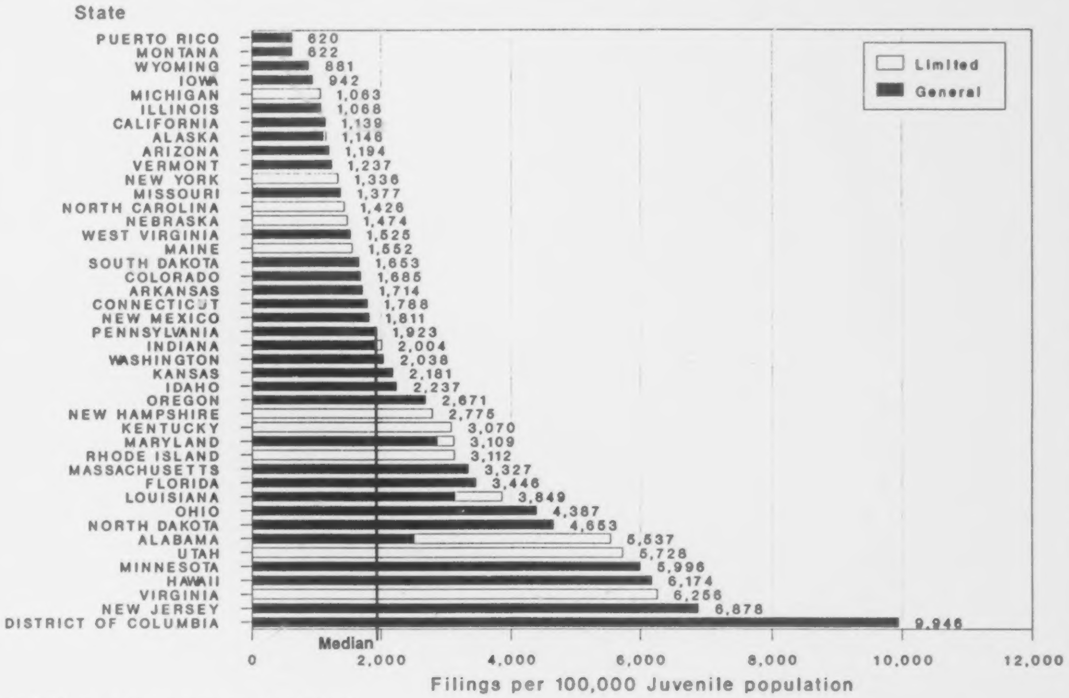
[12] The Arkansas County Court, sitting as the juvenile court, had exclusive jurisdiction to handle juvenile petitions until early in 1987. The Arkansas Supreme Court found that practice unconstitutional. Effective January 20, 1987, juvenile jurisdiction was transferred to the circuit court and the chancery and probate court, pending approval of a constitutional amendment, which was approved in November, 1988, and pending a 1989 legislative act that would structure a new juvenile court system.

GRAPH 3: Juvenile Filings per 100,000 Population in State Trial Courts, 1988



The following states are not included:
DE, GA, MS, NV, OK, SC, TN, TX, WI

example, Louisiana statutes define a juvenile as a person under age 17, but a 15-year-old can be charged in the district court as an adult if the offense is first or second degree murder, manslaughter, or aggravated rape; the threshold rises to 16 if the offense is armed robbery, aggravated burglary, or aggravated kidnapping).

The age at which a person is no longer eligible for original juvenile court handling can have a large impact on both a state's criminal and juvenile caseload. Research consistently shows that involvement in crime peaks in the 15-17 age group. Arrest statistics show that 15-to-19 year olds represent 28.7 percent of those arrested for FBI index crimes and 8.2 percent of the national population.[13] Therefore, the choice of 17 rather than 19 as the point to transfer court jurisdiction, or even 18, can significantly affect the relative number of juvenile as opposed to criminal court filings.

Thirty-seven states and the District of Columbia terminate original juvenile delinquency jurisdiction in juvenile courts at age 18; Wyoming at age 19. Georgia, Illinois, Louisiana, Massachusetts, Michigan Missouri, South Carolina, and Texas define an adult for purposes of court jurisdiction as a 17-year-old. Four states use 16 as the threshold age dividing juvenile and adult status: Connecticut, New York, North Carolina, and Vermont.

The two latter groups of states have defined juvenile more narrowly than most states; this should be reflected in the size of their juvenile caseload. Graph 3 suggests that is indeed the case, as all four states have filing rates below the median. The use of a lower than typical age to transfer persons from juvenile status may be a factor in the relatively low rates reported by Illinois and Michigan, but states that have adopted age 17 as the point of transfer did not consistently report low filing rates.

Other factors may help explain these variations. Law enforcement agencies differ in the extent to which they divert juvenile law violators from further penetration into the justice system. Case screening practices by juvenile court intake officers vary significantly and may result in a wide range of referral to petition ratios. Prosecutors have differing authority at the intake juncture, which may have an impact on these ratios. The amount of judge time available and the extent of probation officers' supervision caseloads also may influence referral to petition ratios. Rural communities and states tend to file fewer petitions proportionally than more urban jurisdictions; their delinquent offenses may be less serious and more amenable to noncourt or informal handling. Some states allow for direct filings of charges in a criminal court, particularly with older juveniles and more serious offenses, although the numbers of cases involved are not great.

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[13] The authority for the "peak" at age 15-17 in criminal activity is Travis Hirschi and Michael Gottfredson, "Age and the Explanation of Crime," *American Journal of Sociology* Vol. 89, No. 3 (November), 1983. The arrest percentage is calculated from Federal Bureau of Investigation, U.S. Department of Justice, *Crime in the United States: Uniform Crime Reports 1987.* Washington, D.C.: U.S. Government Printing Office, 1988, Table 33, p. 174.

Generally, the juvenile status offense category is known to have extreme variance. Such cases are rarely or infrequently petitioned in some jurisdictions, but regularly petitioned elsewhere. The differences are sometimes pronounced, even within one state.

That variation may have grown in recent years as the number of dependency, neglect, and abuse case filings increased. The frequency with which a child protection agency files juvenile court petitions, as opposed to working with a family without court intervention, has been shown to vary sizably, adding to the differences among the states in the rate at which juvenile petitions are filed.

The significance of juvenile petitions in the total state trial court caseload could be determined for 27 states, the District of Columbia, and Puerto Rico. When civil, criminal, and juvenile filings are combined in those jurisdictions, the percentage share formed by juvenile petitions ranged from 2 percent in Arizona and North Carolina to 16.5 percent in Hawaii. In 19 states and Puerto Rico, the share is in the 3-to-5 percent range.[14] Larger shares are reported by the District of Columbia (6.6 percent), Kansas (7.2 percent), Kentucky (8.0 percent), Florida (6.4 percent), Minnesota (14.0 percent), and Utah (12.3 percent); as noted previously, juvenile cases were most prevalent in the Hawaii caseload: 16.5 percent of the total caseload and 39.8 percent of filings in the state's general jurisdiction court.

That variability means that most states rank quite differently in terms of the rate of criminal and of juvenile case filings. The District of Columbia, Utah, and Virginia are distinctive in ranking high for both criminal and juvenile case filings. Iowa and Missouri are distinctive for the degree to which low juvenile filings coincide with low criminal filing rates. However, Hawaii and New Jersey reflect more inconsistency. Both states have among the highest rates at which juvenile petitions are filed but among the lowest rates for criminal case filings.

Clearance Rates for Juvenile Petitions. Clearance rates for juvenile petitions, based on caseload statistics from Table 12, Part III (p. 149), are presented in **Text Table 3** to address the question of whether juvenile petitions were being processed more expeditiously during 1988 than were civil or criminal cases. The table also provides the clearance rate each court recorded in 1987 to help address the question of whether the patterns found in 1988 reflect short term or long-term problems of the state courts.

TEXT TABLE 3: Trial Court Clearance Rates for Juvenile Cases, 1988

State	General Jurisdiction 1988	General Jurisdiction 1987
Florida	69.4%	67.7%
Alaska	75.5	82.9
Illinois	76.1	81.0
Alabama	78.4	79.7
Montana	83.4	84.7
Indiana	86.2	99.9
Colorado	87.9	88.1
West Virginia	88.7	101.1
Washington	89.3	87.6
Pennsylvania	95.4	94.4
Maryland	95.6	97.3
Vermont	95.9	96.4
California	95.9	92.9
Kansas	96.4	95.5
Hawaii	96.9	98.7
Ohio	97.6	99.6
Idaho	98.7	98.5
New Jersey	98.9	98.0
Arizona	99.5	103.2
Minnesota	99.7	99.0
Connecticut	99.8	97.5
District of Columbia	100.4	99.9
New Mexico	100.5	100.6
Puerto Rico	100.7	97.7
Arkansas	100.7	
Texas	120.5	111.7

State	Limited Jurisdiction 1988	Limited Jurisdiction 1987
Maryland	85.7%	88.9%
Maine	86.4	80.0
Michigan	89.0	85.0
Kentucky	90.2	91.1
Rhode Island	91.0	96.1
Louisiana	93.3	92.5
Alabama	93.6	93.9
Virginia	94.2	94.1
Utah	100.5	101.3
New York	100.6	103.6
Indiana	100.9	96.7
North Carolina	106.6	109.8

Note: A blank space indicates that a calculation is inappropriate for that year.

Source: Table 12, Part III
National Center for State Courts, 1990

Clearance rates are available from 38 separate statewide court systems. Those rates vary from a low of 69.4 percent in Florida to a high of 120.5 percent in Texas. Nine courts report clearance rates of 100 percent or greater, 12 (all of them courts of general jurisdiction) report rates between 95 and 100 percent, five (all courts of special jurisdiction) report rates between 90 and 95 percent), and 12 courts report rates of less than 90 percent. In 1988, there was no clear difference between general jurisdiction and limited jurisdiction courts in the degree to which they were able to keep pace with the flow of new cases. Most statewide court systems ended 1988 with a larger pending juvenile caseload than they had at the start of the year.

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[14] The 19 states in which juvenile filings represent 3 to 5 percent of total civil, criminal, and juvenile filings are: Alaska, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, Pennsylvania, South Dakota, Vermont, Virginia, Washington, and Wyoming. The percentage share of each type of case will be affected by footnotes indicating that statistics are incomplete or overinclusive in Tables 9, 10, and 12, Part III.

The consistency in clearance rates in 1987 and 1988 is striking. Inconsistencies were most notable in states where the clearance rate declined between the two years. For example, the clearance rate for the general jurisdiction courts of Indiana declined from 99.9 percent to 86.2 percent, while those in West Virginia declined from 101.1 percent to 88.7 percent. A few states, most notably Texas, sharply improved their clearance rate, but the examination of 1987 clearance rates suggests both the persistence of the problem facing the state courts and the possibility that it is increasing over time.

Trial Courts in 1988: A Summary

State trial court filings increased in 1988. The increase was greatest for criminal cases, especially those filed in general jurisdiction courts (an increase of 8.4 percent). Civil case filings increased by 4.3 percent, with a larger increase in limited than in general jurisdiction courts. The increase parallels the experience of appellate courts, which reported 4.2 percent more filings in 1988 than in 1987.

There was little variation among states in the rate of 1988 civil filings. Most states report civil filing rates close to the median of 6,338 per 100,000 population. Considerable variation was present for criminal filing rates. The range was substantial, from 1,466 to 13,565 per 100,000 population, with a median of 4,843 filings and little concentration around the median. Greater variation still characterized juvenile filing rates. States filing rates ranged from 633 to 9,078 filings per 100,000 juvenile population in 1988 and rates were scattered throughout that range.

The differences among states reflect both real variation in the extent to which cases are brought before the courts and the various methods of count and degrees of data completeness. However, the degree of variation found for the three types of cases is consistent with what would be expected. Civil law and procedure are broadly similar across the country. Crime rates, substantive criminal laws, and law enforcement practices all differ among states in ways that affect the number of cases reaching the courts. Such differences are still more pronounced in their impact on the use of courts to handle juvenile cases.

A few states report consistently high or consistently low use of their trial courts. Delaware, the District of Columbia, and Virginia reported among the highest filing rates for all three types of cases. Missouri reported among the lowest rates for all three. In states with two-tier trial court systems, civil cases dominate the caseload of general jurisdiction courts.

A strong and disturbing pattern in 1988 trial court caseload statistics is low clearance rates. Many, perhaps most, courts are experiencing difficulty in keeping up with the inflow of new cases. The number of new cases filed in 1988 often substantially exceeded the number of cases that were disposed of by the court. The problem is more prevalent for juvenile petition and criminal cases than for civil cases, and more serious for limited jurisdiction than for general jurisdiction courts.

Rising civil and criminal caseloads create problems that ultimately will be transferred to the appellate courts. More cases add to the potential pool from which appeals are drawn and appellate courts will need to cope with the consequences of the trial court caseload growth recorded during 1988 as the cases filed in that year reach judgment.

Appellate Court Caseloads in 1988

This section begins with a summary of overall activity within the state appellate courts. It then provides background on distinctions in appellate court structure (the roles of courts of last resort and intermediate appellate courts) and the manner in which new cases reach appellate courts (i.e., mandatory appeals and discretionary petitions). An appraisal of the overall completeness and comparability of the appellate caseload data follows. The magnitude and composition of total state appellate caseloads are then described and their relationship to appellate structure explored. The remainder of this section considers, in turn, mandatory appeals and discretionary petitions. The main conclusions are summarized at the end.

Overview

State appellate courts reported 221,794 filings in 1988: 161,762 mandatory appeals and 60,032 discretionary petitions. Filing data are available for all 95 courts of last resort (COLRs) and intermediate appellate courts (IACs) in the 50 states and the District of Columbia.[15] There was a 3.9 percent increase in total appellate filings between 1987 and 1988. This increase was not evenly distributed between COLRs and IACs or between mandatory appeals and discretionary petitions. Overall, COLR filings increased by 3.4 percent and IAC filings by 4.4 percent. The increase was strongest for mandatory appeals filed in COLRs: COLRs with relevant data for both years reported 7.1 percent more appeals in 1988 than in 1987. Filings of mandatory appeals in IACs increased by 4.5 percent. IAC discretionary petitions increased by 3.1 percent and IAC mandatory appeals by 1.0 percent.[16] The connection between caseload composition and appellate structure is important for any consideration of the work, operations, and problems of appellate courts nationally. This is addressed in the next section.

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[15] Puerto Rico reports trial court but not appellate court statistics to the NCSC Court Statistics Project.

[16] United States Courts of Appeal experienced a 8.3 percent increase in filings between 1987 and 1988. In particular, "criminal appeals were up 24 percent, largely due to implementation of US sentencing guidelines." *Want's Federal-State Directory, 1990 Edition*, p. 144.

Appellate Court Structure and Jurisdiction in 1988

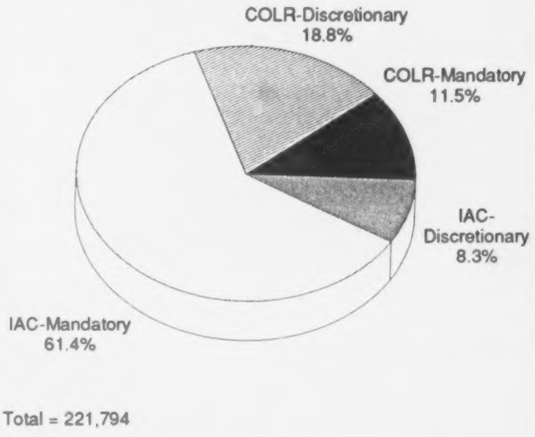
Mandatory jurisdiction refers to appeals as a matter of right: those cases for which the court is required by state constitution or statute to hear and decide the appeal on the merits. Discretionary jurisdiction refers to casetypes in which a party must file a petition asking the court to hear the case. The appellate court then decides whether to exercise its discretionary power to consider the case on the merits.

All states have established a court of last resort (COLR), usually named the supreme court, by constitution. The COLR has the final jurisdiction over all appeals within the state. Thirty eight states have also established one or more intermediate appellate courts to hear appeals from trial courts and administrative agencies as specified in state law or at the discretion of the COLR.

According to an influential perspective on the appropriate role and structure of appellate courts,[17] there are two basic functions: (1) the review of specific trial court proceedings to correct errors in the application of law and procedure, and (2) the development of law for the benefit of the community at large. The error correction function should be exercised through mandatory jurisdiction, with each unsuccessful party entitled to one appeal as a matter of right. Further appellate review should serve the function of developing the law, including ensuring its uniform application by trial courts throughout the state, and be undertaken on a discretionary basis by selecting the appropriate cases out of those reaching the court through petitions. Where the volume of cases exceeds the capacity of the COLR, an IAC should assume the error correction function and the COLR should, by the exercise of its discretion to review all manner of appeals, develop the law.[18]

The influence of this perspective on state court systems is evident in the extent to which states have created IACs in response to growing appellate caseloads. Twenty-five states established their IACs in recent decades (since 1958). Yet, despite the common contexts in which they were created, a careful examination reveals complex differences in the allocation of jurisdiction to both COLRs and IACs.

CHART 4: Appellate Case Filings, 1988



The consequences of these complex differences are highlighted when one matches appellate structure with jurisdiction. The matching process produces four categories of cases: (1) COLR mandatory appeals, (2) COLR discretionary petitions, (3) IAC mandatory appeals, and (4) IAC discretionary petitions.

If we combine the appellate filings reported by the states according to court level and jurisdiction, the 1988 appellate caseload is as shown in **Chart 4**. Nineteen percent of all filings were discretionary petitions to COLRs and 12 percent of all filings took the form of mandatory appeals to COLRs. Mandatory appeals to IACs represented 61 percent of the total state appellate caseload for the year, while 8 percent consisted of discretionary petitions to IACs.

Completeness and Comparability of Data

Care is required when determining when like is being compared to like in the world of appellate courts. Before examining and comparing state appellate court filing data and clearance rates, it is useful to highlight some important dimensions on which state appellate court systems differ.

The first dimension is the number of courts that have been established at each level in the 50 states and the District of Columbia. This can be seen in **Map 5**. The 12 states with only one appellate court are typically sparsely populated or geographically small. Thirty-two states have one COLR and one IAC. Texas and Oklahoma have separate COLRs for criminal and civil cases, and one IAC. Four states have established multiple IACs. Alabama and Tennessee maintain separate courts for civil and criminal appeals, while Pennsylvania divides jurisdiction between its commonwealth court and its superior court on the basis of subject matter. New York divides

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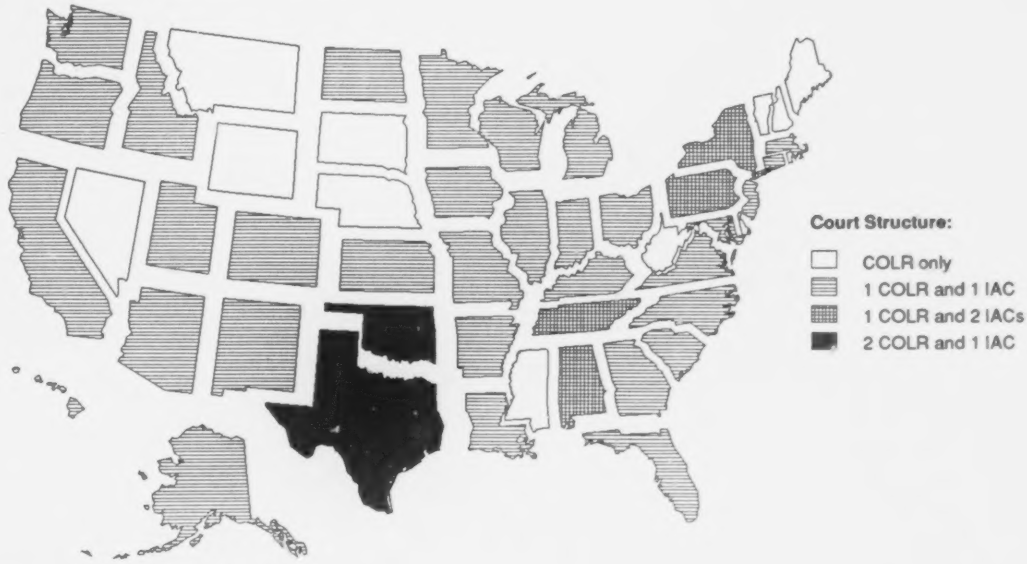
[17] The perspective is put forward in several authoritative texts that vary in nuance. The summary here is derived from the American Bar Association, *Standards Relating to Court Organization*, ABA, 1974, pp. 1-10.

[18] This perspective has clearly applied with great force to the federal system. The U.S. Circuit Courts of Appeals were established in 1891 as an IAC on a regional basis and assumed much of the U.S. Supreme Court's mandatory caseload. The federal appellate system evolved subsequently through a series of significant transfers of mandatory appellate jurisdiction from the Supreme Court to the Circuit Courts of Appeals. This culminated in Public Law 100-352 (Act of June 27, 1988, 102 Stat. 662), which "substantially eliminates" the mandatory jurisdiction of the Supreme Court." Seven states had established an IAC before 1891: Illinois, Louisiana, Missouri, New Jersey, New York, Ohio, and Texas (Robert R. Stern, *Appellate Practice in the United States*: Second Edition, Washington, D.C.: Bureau of National Affairs, 1989, p. 6).

MAP 5: Appellate Court Structures, 1988



Source: Court structure charts in Part IV
National Center for State Courts, 1990

jurisdiction between its two IACs primarily by the trial court from which the appeal is taken.

Map 6 addresses the dimension of how states allocate mandatory and discretionary jurisdiction within their appellate systems. The District of Columbia and 8 of the 12 states with only one appellate court have both mandatory and discretionary jurisdiction. The COLRs in New Hampshire, West Virginia, and Wisconsin exercise full discretionary jurisdiction over their dockets, while all COLR filings in Nevada, North Dakota, and Wyoming are appeals of right (totally mandatory jurisdiction). States with IACs differ in the manner in which jurisdiction is allocated between the two appellate court levels. The court structure charts in Part IV of the report provide a point of reference for further distinguishing between appellate court structures.

The nearly 222,000 appellate court case filings reported in 1988 is not definitive since there is both undercounting in some courts and double counting in others. Table 1, Part III (p. 72) reviews the quality of the caseload information used to generate the national totals. Other tables in Part III provide information on mandatory appeals, discretionary petitions, and opinions reported by state appellate courts, noting instances where court statistics are incomplete, overinclusive, or simultaneously incomplete and overinclusive. The most serious problem is counts that are overinclusive because discretionary petitions granted by the court are included both as petitions and as mandatory appeals.

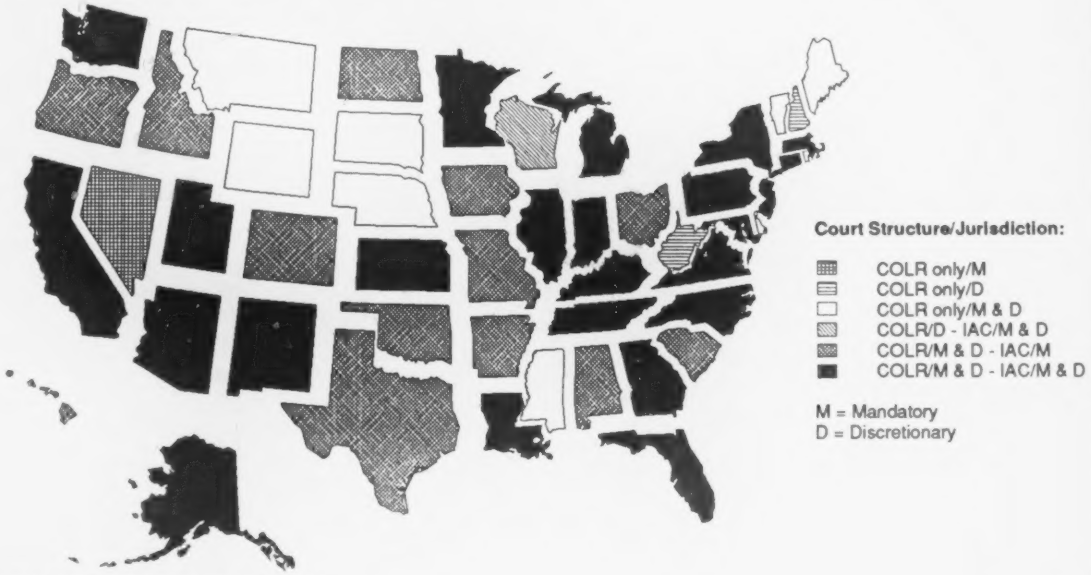
The 1988 totals for the appellate courts of individual states can be found in Table 2, Part III (p. 74), which reports the number of mandatory appeals filed and disposed, the number of petitions that were filed and disposed of, and the number of petitions granted (and previously granted petition dispositions). Tables 3 (Part III (p. 88)), 4 (Part III (p. 94)), and 5 (Part III (p. 100)) report more detailed information on, respectively, mandatory appeals, discretionary petitions, and discretionary petitions granted. Table 6 (Part III (p. 106)) displays information on opinions reported by the state appellate courts. In all instances, states are listed according to their appellate structure. States with one COLR and one IAC are listed first, followed by states with only a COLR, and finally states with more than one COLR or IAC.

The text and graphics that follow describe and compare appellate caseloads reported by the states. The review begins with the big picture, comparing the size and composition of total state appellate caseloads.

The Composition of Appellate Court Caseloads in 1988

As a generalization, the substantial portion of the work of COLRs is to review petitions and then decide those petitions that were granted. Of every 100 cases filed in a state COLR, 62 were discretionary petitions. This contrasts with the IAC caseload, in which only 12 of every 100 filings were discretionary petitions. IACs are the workhorses of state appellate systems. Three quar-

MAP 6: Appellate Court Caseload Jurisdiction, 1988



Source: Court structure charts in Part IV
National Center for State Courts, 1990

ters (75.1 percent) of appellate filings in states with both a COLR and an IAC went to the IAC.[19]

The issue considered here is whether differences in appellate structure are associated with particular caseload patterns. Several interrelated questions revolve around this issue.

> Are the caseloads of one-level appellate systems distinctive from other systems?
>
> Does the generalization cited above on the respective role of COLRS and IACs in two-tier systems apply to all states or are other patterns identifiable?
>
> Are states with multiple appellate courts at any level distinctive in the composition of their caseloads?

Such questions are important as the answers indicate the extent to which like is being compared with like when appellate systems are discussed and also speak to whether appellate court reform has had the intended impact. These issues are addressed below.

Graph 4 displays case filings per 100,000 population in the appellate courts of 44 states and the District of Columbia. The information used to generate the graph can be found in Table 2, Part III (p. 74). The two main conclusions that can be drawn from the information are that caseload levels are similar across the states once adjusted for state population size and particular appellate structures are not closely linked to high or low caseloads.[20]

States with only one appellate court are readily identified in Graph 4. The bar representing their case filings has either one or two sections. Filing rates per 100,000 population in those states tend to be lower than in states with a two-level appellate system. The difference is not absolute. Nevada and Vermont have filing rates above the median, as do West Virginia, which has entirely discretionary jurisdiction, and the District of Columbia, which has the highest filing rate.

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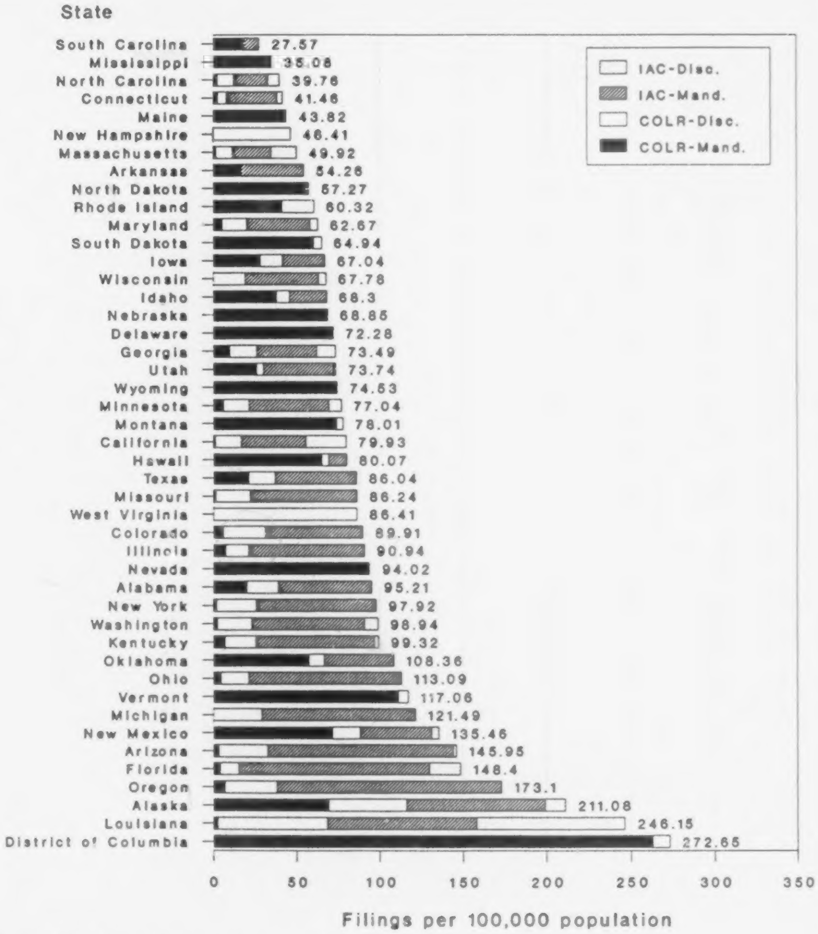
[19] A second appeal is possible in most states with a two-tier appellate system. This means that a case may be counted twice in a state's filing statistics, first as a mandatory appeal of the trial court judgement to the IAC and then as a petition for the review by the COLR of an unfavorable IAC decision. One study concluded that between one fifth and one half of IAC decisions are appealed to the COLR but that few of those petitions are granted. See Stephen Wasby, Thomas Marvel, and Alexander Aikman, *Volume and Delay in State Appellate Courts: Problems and Responses*, Williamsburg, VA: National Center for State Courts, 1979, pp. 54-55.

[20] Graph 1 overstates the presence of mandatory appeals relative to discretionary petitions in appellate court caseloads. The footnotes to Table 2, Part III indicate that the number of mandatory appeals is overinclusive, encompassing all discretionary petitions: Arkansas Supreme Court, Illinois Appellate Court, Kansas Court of Appeals, Michigan Court of Appeals, Maine Supreme Judicial Court, Nebraska Supreme Court, New York Appellate Division of the Supreme Court, New York Terms of the Supreme Court, and the Oklahoma Court of Criminal Appeals.

GRAPH 4: Total Appellate Filings per 100,000 Population, 1988



The following states are not included:
IN, KS, NJ, PA, PR, TN, VA.

Appellate structure is more strongly associated with the composition of the appellate caseload. Two of the 12 states with only one appellate court have entirely mandatory jurisdiction (Nevada and Wyoming). Another four states (Delaware, Maine, Mississippi, and Nebraska) have allocated only minor discretionary jurisdiction to their appellate court. Thus, few discretionary petitions were filed in those courts. Filings in the appellate courts of the District of Columbia, Montana, South Dakota, and Vermont were overwhelmingly in the form of mandatory appeals. Rhode Island was the only state with one appellate court in which discretionary petitions and mandatory appeals were filed in roughly equal numbers. The COLRs in New Hampshire and West Virginia have solely discretionary jurisdiction, but most of the work of a COLR in a one-tier appellate system is to decide mandatory appeals.

Appellate filings in about half of the states with one COLR and one IAC conform to the standard perspective on appellate structure and jurisdiction. Filings in the COLR represent a small proportion of the state total and are mainly discretionary petitions, while filings in the IAC are primarily mandatory cases.[21]

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[21] This describes the appellate systems of Arizona, Arkansas, Colorado, Connecticut, Georgia, Illinois, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, New Jersey, North Carolina, Ohio, Oregon, Utah, Virginia, Washington, and Wisconsin. The states of California, Florida, Louisiana, and Massachusetts adhere to only part of the perspective. Discretionary petitions form a larger than typical share of IAC filings.

Six states offer a very different pattern, with most filings in the COLR rather than the IAC: Hawaii, Idaho, Iowa, New Mexico, North Dakota, and South Carolina. The pattern is perhaps clearest in New Mexico. In that state, 62 percent of mandatory appeals and 80 percent of discretionary petitions were filed in the COLR (Table 2, Part III, p. 74). That basic pattern applies to those states in which the IAC hears cases on assignment from the COLR.[22]

Alaska, the remaining state with one COLR and one IAC, is distinctive because a substantial share of the total appellate filings are in the COLR and most COLR filings are mandatory appeals rather than discretionary petitions. The Alaska COLR has mandatory jurisdiction to hear civil appeals and discretionary jurisdiction over other appellate casetypes, while that state's IAC has mandatory jurisdiction over criminal cases but no jurisdiction in civil cases.

Alabama and Tennessee have separate IACs for civil and criminal appeals. The 1988 caseload in Tennessee conforms to the most common pattern of a COLR with a limited share of the total caseload consisting mainly of discretionary petitions and an IAC with case filings in the form of mandatory appeals. The Alabama appellate caseload is more evenly divided between the two court levels and the majority of COLR cases and all of the IAC cases are mandatory appeals.

Texas has two COLRs, one with jurisdiction exclusively over criminal appeals. The combined COLR caseload is about one-half mandatory. In other respects, the pattern is similar to the most common one in that the vast majority of appellate filings are mandatory cases in the IAC.

There is much diversity in the composition of state appellate caseloads. That diversity reflects how states have responded to increases in the volume of case filings. The available statistical evidence suggests that state appellate caseloads doubled in the 1960s and then again in the 1970s and grew at a more modest pace in the 1980s.[23] Some states conform to the standard perspective on structuring and allocating jurisdiction to their appellate courts. Other patterns can be identified, however, even among states with two-tier systems. Local circumstances and needs tempered the application of the standard perspective in many states. In particular, the bulk of the appellate burden remains on the COLR in some states (e.g. Alaska and New Mexico) and some states (e.g. Hawaii, Idaho, Iowa, South Carolina) have retained substantial mandatory jurisdiction in their COLRs and others have allocated discretion to their IACs.

These reported filing levels reflect court rules, definitions of appellate jurisdiction, methods of counting filings, the incidental appellate jurisdiction assigned to trial courts, and the rate at which trial court filings result in trials, and thus generate issues that can be the subject of an appeal. Variation in these factors will result in differences between states in filing rates and, if they were taken into consideration, would probably reduce the amount of variation among states in the same region and with similar sizes and economic bases. The variation found in Graph 4 will be examined by appellate court structure.

The rest of the appellate caseload section considers, in turn, mandatory appeals and discretionary petitions. For mandatory appeals, the focus is on filing rates per 100,000 population and dispositions as a percentage of filings. For discretionary petitions, the topics covered include filing rates, petitions disposed as a percentage of petitions filed, and the percentage of petitions granted. The information on mandatory appeals and number of petitions is then brought together by adding the number of petitions granted during 1988 to the number of mandatory appeals filed, yielding a basic caseload measure for many appellate systems: the number of cases to be heard and decided on the merits. Appellate opinions are the final topic considered.

MANDATORY APPELLATE CASELOADS IN 1988. States reported 161,762 mandatory appeals in 1988, 15.8 percent of which were filed in COLRs. Forty-eight states and the District of Columbia had appellate courts with mandatory jurisdiction.

Mandatory Appeals Filed In State Appellate Courts. **Graph 5** summarizes mandatory filings in 45 states and the District of Columbia, based on the information presented in Table 3, Part III (p. 88). Filings are expressed as rates per 100,000 population and filings in a COLR are differentiated from those in an IAC.

The resulting range is substantial, from 23 per 100,000 population in North Carolina to 263 per 100,000 population in the District of Columbia. The median rate is 70.3, with nearly one-half of the states (22 of 46) falling within a band that includes Iowa (54 filings per 100,000 population) and Pennsylvania (81 filings per 100,000 population). There is a broad middle range of states with roughly comparable levels of mandatory appeals.

There is no evident pattern linking filing rates to region, state population, or court structure. States without an IAC tend to be small, located in New England or the Great Plains, and tend to have a COLR with little or no discretionary jurisdiction. Yet, the 12 states meeting those criteria (including Mississippi and West Virginia) are scattered on the graph.[24]

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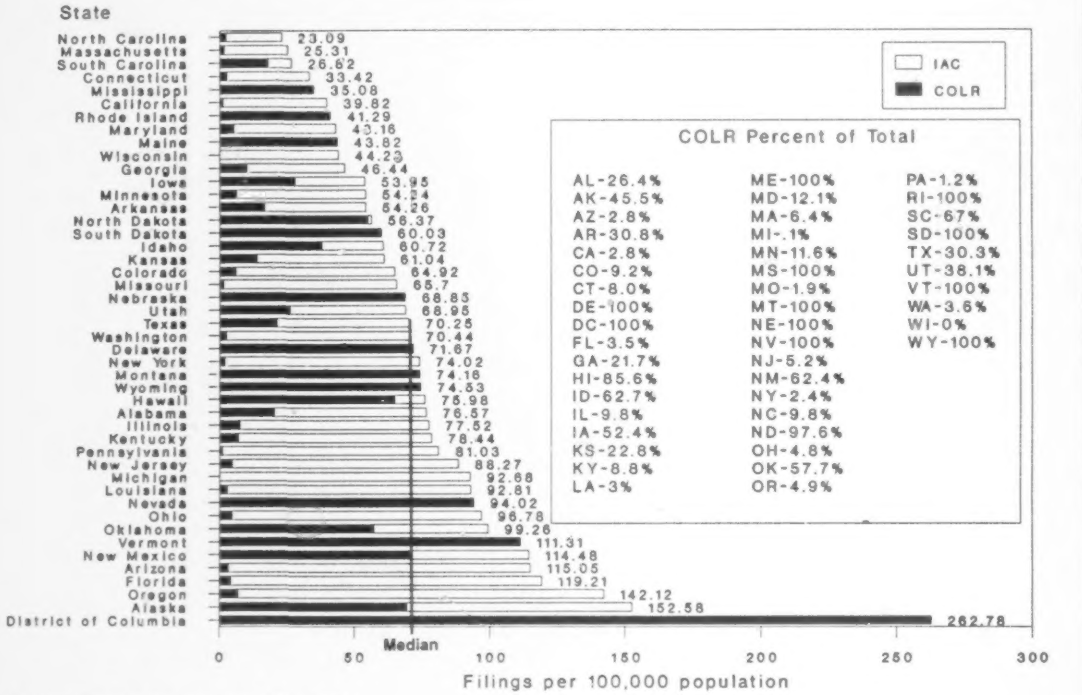
[22] All IAC filings in Hawaii, Idaho, Iowa, and North Dakota are filed through assignment by the state COLR, while filings in the South Carolina IAC arrive both directly and through COLR assignment. With the exception of New Mexico, these states have relatively low rates of total appellate filings per 100,000 population. In Oklahoma, all appeals in civil cases are directed to the Supreme Court, which then transfers cases to the Court of Appeals, the state's IAC.

[23] "State appellate caseloads have, on the average, doubled every ten years since the Second World War." American Bar Association, Judicial Administration Division, *Standards Relating to Appellate Delay Reduction*, Chicago: American Bar Association, 1988, p. 11.

[24] Mississippi (35.1), Rhode Island (41.3), and Maine (43.8) are at the low end; South Dakota (60.0) and Nebraska (68.9), fall below the median rate of 70.3, Delaware, Montana, and Wyoming are located slightly above the median; and Nevada (94.0) and Vermont (111.3) show rates considerably above the median.

GRAPH 5: Mandatory Filings per 100,000 Population, 1988



The following states are not included:
IN, NH•, PR, TN, VA, WV•

• State does not have mandatory jurisdiction.

Some of the rankings found in Graph 5 may be attributed to differences in the breadth of appellate court jurisdiction and to how cases are counted. The highest filing rate is in the District of Columbia, which has one appellate court system, and that court has very limited discretionary jurisdiction. Of the five states with the next highest per 100,000 population filing rate, two (Alaska and New Mexico) retain substantial mandatory jurisdiction at the COLR level and three (Arizona, Florida and Oregon) do not.

In some states, appeals in death penalty cases increasingly fill the dockets of courts of last resort. Thirty-four of the 37 states with capital punishment statutes in effect during 1988 provide for the automatic review of death sentences, usually by the COLR. In California, which has such review, one commentator described the state supreme court as expending much of its effort during 1988 on death penalty cases, yet "after devoting so much energy to the death penalty backlog, the court finished its second year where it started. Its 73 decisions were matched by 73 new death penalty judgments."[25]

The method of count also affects the filing rate. Appeals in the California appellate courts, for example, are counted at the filing of the trial record, a point by which some appeals have been closed, and therefore not counted. Other states with low filing rates (Massachusetts, North Carolina, and South Carolina) also base their count on documents filed after the notice of appeal.

Clearance Rates for Mandatory Appeals. Appellate courts that disposed of more cases than were filed during 1988 reduced their pending caseloads. Cases disposed during 1988 could have been filed in previous years. **Text Table 4** combines the relevant 1988 information from Table 3, Part III (p. 88) with the corresponding data from 1987, allowing a two-year comparison of clearance rates for each COLR and each IAC. States are listed from lowest to highest 1988 clearance rates.

A clearance rate could be calculated for COLRs in 30 states and the District of Columbia. For 32 states, a clearance rate could be obtained for the IAC and is included in Text Table 4. In COLRs the percentages range from a low of 70.4 percent in Arizona to a high of 144.9 percent in North Carolina. COLRs in 14 states are reducing their pending caseload (reporting clearance rates of over 100 percent) in 1988. This is a slight

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[25] Gerald Uelmen, "Mainstream Justice: A Review of the Second Year of the Lucas Court," *California Lawyer*, July, 1989, p. 40.

TEXT TABLE 4: Appellate Court Clearance Rates for Mandatory Appeals, 1988

	Court of Last Resort	
State	**1988**	**1987**
Arizona	70.4%	74.1%
Maryland	75.6	95.3
Hawaii	85.2	94.0
Delaware	86.1	105.5
Mississippi	96.3	93.3
Idaho	86.9	102.1
Minnesota	92.3	84.7
Ohio	92.4	90.1
Nevada	93.0	118.3
Wyoming	93.6	94.4
Missouri	95.2	
Vermont	95.7	98.0
Maine	96.0	
New Jersey	97.8	109.2
Rhode Island	98.3	124.5
District of Columbia	98.7	106.3
Texas	99.1	99.9
Nebraska	99.2	80.6
Illinois	103.3	97.9
Florida	104.7	94.3
South Dakota	108.2	
Alaska	108.5	79.1
Louisiana	108.9	91.1
North Dakota	110.4	93.5
Iowa	112.2	107.6
Arkansas	114.3	90.6
Kentucky	117.1	103.8
Alabama	119.9	101.9
Washington	129.1	109.6
Kansas	132.3	155.6
North Carolina	144.9	106.1

	Intermediate Appellate Court	
State	**1988**	**1987**
Idaho	71.4%	96.1%
Arizona	83.0	97.7
Kentucky	84.2	85.6
Georgia	85.1	94.7
Louisiana	86.4	87.9
Oklahoma	89.2	78.2
Iowa	91.9	93.5
Arkansas	92.0	103.6
Alaska	92.6	91.5
Indiana	92.7	98.4
North Carolina	94.2	103.6
Illinois	94.2	93.7
Minnesota	94.4	99.6
Missouri	94.9	
Florida	95.5	98.1
California	96.6	106.9
Ohio	96.6	94.1
Texas	96.8	99.6
Michigan	99.3	91.6
Kansas	99.8	104.4
Maryland	100.5	103.7
New Jersey	100.6	102.0
Alabama	101.6	102.5
Connecticut	103.1	94.1
Washington	104.2	119.5
Colorado	104.2	83.0
Oregon	106.6	98.3
Hawaii	107.5	106.0
Wisconsin	110.3	101.0
New York	118.7	136.0
South Carolina	119.5	83.6
North Dakota	144.4	

Note: A blank space indicates that a calculation is inappropriate for that year.

Source: Tables 2 and 3, Part III
National Center for State Courts, 1990

improvement over 1987, when only 12 kept pace with the flow of new mandatory appeal filings.

Mandatory clearance rates reported by IACs are somewhat lower than for COLRs. The percentages range from 71.4 percent in Idaho to 144.4 percent in North Dakota. In 1988, only 12 IACs reported clearance rates in excess of 100 percent which is a slight improvement over the 11 IACs that reduced their pending caseloads in 1987.

DISCRETIONARY APPELLATE CASELOADS IN 1988. This section examines the 60,032 petitions that were filed for review in state appellate courts. More than two-thirds (69 percent) of those petitions were filed in a COLR.

In state courts, "appellate capacity at an intermediate level does not always spawn discretionary review at the top, as it did in the federal system."[26] State COLRs often retain substantial mandatory jurisdiction and IACs are often created with discretionary jurisdiction. Thus, the division between the work of COLRs and IACs is not as clear in most states as in the federal appellate system.

Appellate courts vary in the procedures to decide which petitions to accept for review. In 31 states, a decision to grant review in the COLR requires a majority of the members of the full court or of the panel, whichever is used to review petitions. In the remaining COLRs with discretionary jurisdiction, a minority (in several courts a single justice) of the members of the court or of a panel can grant a petition.

This section considers the number of petitions filed per 100,000 state population, clearance rates for petitions, and the percentage of petitions that were granted.

Discretionary Petitions Filed. The number of petitions filed in each appellate court with discretionary jurisdiction can be found in Table 3, Part III (p. 88). **Graph 6** summarizes that information for 36 states and the District of Columbia. The remaining states either lack discretionary jurisdiction or did not provide the relevant data for all courts with discretionary jurisdiction.

The median filing rate is 19.5 per 100,000 population. Filing rates range from no filings in Mississippi to a high of 153.3 per 100,000 population in Louisiana. Most filing rates, however, are less than 30 per 100,000 population. Louisiana (153.3 per 100,000 population), which allocates substantial discretionary jurisdiction to both its COLR and IAC, and West Virginia (86.4 per 100,000 population), a one-court appellate system without mandatory jurisdiction, stand far above other states in the magnitude of their discretionary petition caseloads.

There is greater uniformity among the states in discretionary filing rates than for rates of mandatory appeals. States fall into four main categories: those with discretionary filing rates of less than 10 per 100,000 population (11 states); those with filing rates between 10 and 20 petitions per 100,000 population (seven); those with filing rates between 20 and 31 petitions per 100,000 population

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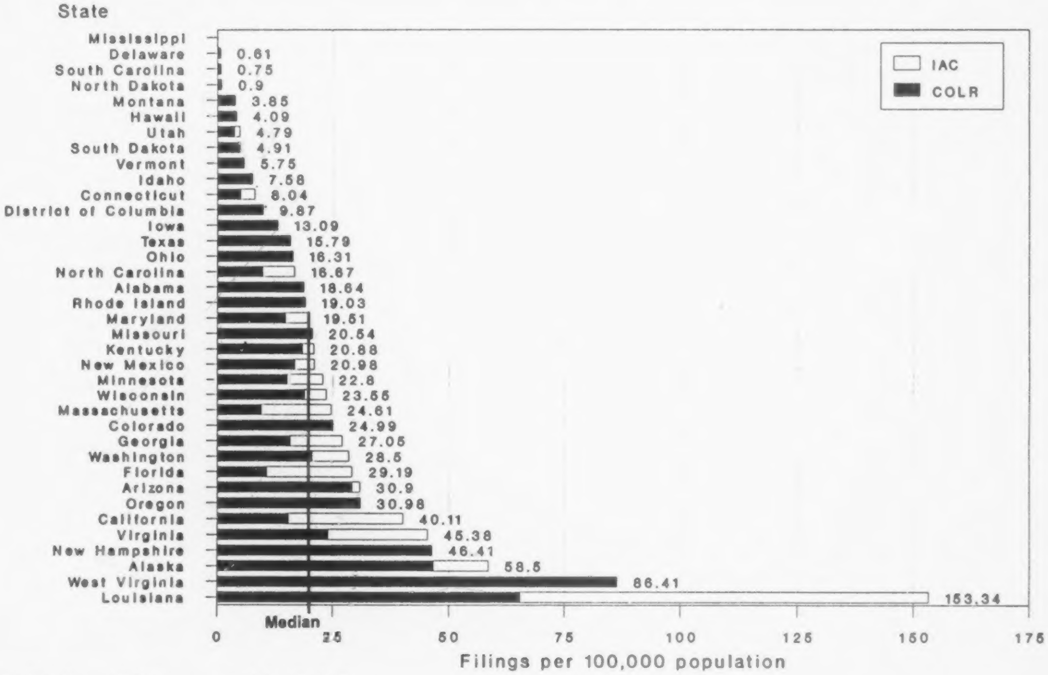
Doris Marie Provine, "Certiorari", pp. 783-794 in R. Janosik (ed.), *Encyclopedia of the American Judicial Process*. New York: Scribners, p. 784.

GRAPH 6: Discretionary Filings per 100,000 Population, 1988



The following states are not included:
AR, IL, IN, KS, ME, MI, NY, NE, NV•,
NJ, OK, PA, PR, TN, WY•.

• State does not have discretionary jurisdiction.

(12 states); and those with filing rates in excess of 40 petitions per 100,000 (6 states). Louisiana and West Virginia are distinct. Their appellate court filing rates lie considerably far from the filing rate found in the state with the third highest rate, Alaska (59 per 100,000 population).

IACs receive more discretionary petitions than the COLRs in California, Florida, Louisiana, and Massachusetts. A substantial proportion of all discretionary petitions were filed in the IACs of Georgia, North Carolina, and Virginia. The filing rates in all of those states, except North Carolina, are above the median of 19.5 per 100,000 population.

There is a relationship between the size of mandatory and discretionary caseloads. This is manifest at the high and low ends of the rankings. Alaska, Arizona, Florida, Louisiana, and Oregon have both high mandatory and high discretionary filing rates. Some of the states at the low end of the range for discretionary filings simply lack significant jurisdiction for discretionary petitions. However, Connecticut, Mississippi, and South Carolina, have low filing rates for both mandatory appeals and discretionary petitions.

Clearance Rates for Discretionary Petitions. **Text Table 5** provides information on discretionary petitions that were decided during 1988 as a percentage of those filed during the year (derived from Table 4, Part III, p. 94), as well as the corresponding information from 1987. Comparable filing and disposition data are available for COLRs of 29 states and the District of Columbia.

The lowest clearance rate in a COLR is 75 percent, reported by the COLR in Delaware, and the highest is 115 percent reported by the COLR in Virginia. Roughly one-half (14 out of 30) of COLRs reported disposing of more petitions in 1988 than were filed. Relative to 1987, the number of COLRs with clearance rates in excess of 100 percent improved substantially, from 8 out of 27 to 14 out of 30.[27] Generally, pending discretionary caseloads in COLRs during 1988 changed at the same pace as did pending caseloads for mandatory appeals.

Discretionary clearance rates in IACs are limited to 13 states. IACs of six states are reporting clearance rates of 100 percent or greater and are thereby reducing their pending caseloads. These results are nearly identical to what the IACs experienced in 1987. In fact, the actual clearance rate levels varied little between the two years, with five of the states that reported clearance rates in

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[27] Fourteen COLRs reduced the size of their pending caseload during 1988 compared to only eight in 1987.

TEXT TABLE 5: Discretionary Petitions Decided as a Percentage of Petitions Filed, 1988

State	Court of Last Resort 1988	Court of Last Resort 1987
Delaware	75.0%	100.0%
Iowa	78.4	96.9
Alabama	78.8	91.7
New York	79.3	
North Dakota	83.3	
Louisiana	87.3	99.5
Arizona	88.9	105.9
Minnesota	90.0	88.7
Ohio	91.6	86.6
California	93.1	87.9
Hawaii	93.3	101.8
Rhode Island	94.2	110.1
Wisconsin	94.6	83.4
Illinois	95.1	97.6
Texas	98.0	116.6
Kentucky	98.8	101.9
Vermont	100.0	83.9
Missouri	100.8	
Oregon	101.6	96.0
New Jersey	103.3	102.1
Alaska	104.5	105.5
District of Columbia	106.6	90.6
New Hampshire	107.7	87.4
Florida	108.4	96.3
West Virginia	109.5	93.7
Idaho	110.5	92.7
Washington	111.5	95.0
Maryland	113.8	85.8
North Carolina	114.3	94.2
Virginia	115.0	81.1

State	Intermediate Appellate Court 1988	Intermediate Appellate Court 1987
Wisconsin	71.1%	85.1%
Florida	80.5	82.3
Kentucky	83.7	78.9
Georgia	95.3	95.6
Louisiana	98.1	97.7
Indiana	98.7	
Minnesota	99.7	97.7
North Carolina	100.0	100.0
Maryland	100.0	100.0
Washington	104.3	112.1
California	104.7	100.7
Arizona	105.0	88.2
Alaska	106.5	100.0

Note: A blank space indicates that a calculation is inappropriate for that year.

Source: Tables 2 and 4, Part III
National Center for State Courts, 1990

TEXT TABLE 6: Discretionary Petitions Granted as a Percentage of Total Discretionary Cases Filed in COLRS, 1988

State	Number of Petitions Filed	Number of Petitions Granted	Percentage of Petitions Granted
Alaska	244	29	11.9%
District of Columbia	61	9	14.8
Hawaii	45	10	22.2
Illinois	1,558	210	13.5
Louisiana	2,657	395	14.9
Maryland	682	140	20.5
Massachusetts	563	196	34.8
Michigan	2,662	79	3.0
Minnesota	651	137	21.0
Missouri	1,056	114	10.8
New Jersey	1,354	126	9.3
New Mexico	252	40	15.9
North Carolina	636	57	9.0
Ohio	1,770	203	11.5
Oregon	857	121	14.1
Pennsylvania	2,207	230	10.4
Texas	2,659	482	18.1
Virginia	1,439	192	13.3
West Virginia	1,621	789	48.7
Wisconsin	915	181	19.8

Source: Tables 2, 4, and 5, Part III
National Center for State Courts, 1990

excess of 100 percent in 1987 also reporting rates exceeding 100 percent in 1988.

Discretionary Petitions Granted. The U.S. Supreme Court accepts for review about 5 percent of the discretionary petitions filed.[28] State COLRs tend to accept a larger percentage of petitions filed. During 1988, state COLRs granted 16.4 percent of the discretionary petitions filed. That percentage is derived from **Text Table 6**, which shows the number of petitions filed, the number and the percentage granted, for the COLRs of 19 states and the District of Columbia. The percentage granted ranges from the low of 3 percent in Michigan to a high of 48.7 percent in West Virginia. The COLRs in Michigan (3 percent), North Carolina (9 percent), and New Jersey (9.3 percent) granted fewer than one of every ten petitions filed. Where an IAC has been established, the precise boundaries of the COLR's jurisdiction become important to understanding the flow of cases to the COLR and, possibly, the percentage of petitions that are granted. For example, the types of cases that would go to the IAC in Michigan are filed instead in the COLR in West Virginia, where no IAC has been established and the Supreme Court has exclusively discretionary jurisdiction.

The two Texas COLRs, one for civil and one for criminal cases, granted 18.1 percent of the total discretionary petitions filed. The Texas Supreme Court, which hears appeals on civil matters, received three mandatory appeals and 1,243 discretionary petitions, granting 14.1 percent of the petitions. The Texas Court of Criminal Appeals received 3,578 mandatory appeals and 1416 discretionary petitions, granting 21.7 percent of the petitions. The Texas IAC has exclusively mandatory jurisdiction, and recorded 8,250 filings. These caseload statistics are taken from Table 2, Part III (p. 74), and the jurisdictional information from the court structure charts in Part IV.

IACs with discretionary jurisdiction tend to grant a higher percentage of petitions than is the practice in their state COLR or in COLRs generally. Table 2, Part III (p. 74), provides information on the percentage of discretionary petitions granted in eight IACs: California Courts of Appeal, 8.6 percent; Indiana Court of Appeals, 51.3 percent; Louisiana Courts of Appeal, 29.3 percent; Maryland Court of Special Appeals, 10 percent; Minnesota Court of Appeals, 35 percent; New Mexico Court of Appeals, 23.4 percent; and North Carolina Court of Appeals, 15.9 percent. With the exception of Maryland, the IAC grants a higher percentage of discretionary petitions filed than does the state COLR.

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[28] Provine, *supra* note 27, p. 783.

Discretionary jurisdiction enables courts to control their dockets. Generally, courts are selective in the petitions that are granted. The use of discretion, however, is exercised very differently among the states. IACs also exercise discretionary power differently than COLRs, reflecting their respective roles in state appellate systems and, perhaps, the capacity of IACs to expand the number of authorized judgeships in the face of rising caseloads.

MANDATORY APPEALS AND PETITIONS GRANTED IN 1988. Appellate courts decide two types of cases: mandatory appeals and discretionary petitions that have been granted. Courts differ in the process through which discretionary petitions are reviewed, resulting in varying workload implications for the court and its justices. Therefore, the most comparable and perhaps most important index of the work carried out by state appellate courts in 1988 is the total number of mandatory appeals and discretionary petitions granted. This is the pool of cases that the courts will decide on the merits.

The number of relevant cases can be calculated from all of the appellate courts in 17 states and the District of Columbia using information in Table 5, Part III (p. 100). **Text Table 7** displays filings per 100,000 population of mandatory appeals and discretionary petitions that were subsequently granted. States are grouped according to their appellate structure. The filing rate includes all mandatory appeals and all discretionary petitions that were subsequently granted.

Filing rates range from 25.1 in North Carolina to 146.5 in Oregon for states with one COLR and one IAC. Most of the filings in Louisiana and Oregon were in the IAC. However, New Mexico, with the third highest filing rate, received the majority of filings in the COLR (62.7 percent of the total). Contrasting the filing rates from these courts with those with either no IAC or multiple COLRs does not appear to show any systemic variation. The one possible exception is the District of Columbia, where the filing rate far exceeds the level found in all states. The 1988 filing rates parallel those found for 1987 (Text Table 4, p. 13, *State Court Caseload Statistics: 1987 Annual Report*). State filing rates do not, however, appear to reflect the type of appellate court structure a state has adopted.

The ranking of states essentially parallels that found for the rate of mandatory appeals per 100,000 population (see Graph 5). The Louisiana appellate courts, however, move ahead of Ohio and New Mexico, and the Minnesota appellate courts move ahead of the North Dakota courts when both granted petitions and mandatory appeals are used to calculate the rate of appeals. Compared to the appellate systems of Ohio and New Mexico, Louisiana's courts both receive a large proportion of their total filings as discretionary petitions and grant a high percentage (23 percent) of the petitions filed.

TEXT TABLE 7: Mandatory Appeals Filed and Discretionary Petitions Granted per 100,000 Population, 1988

Apellate Structure/State	
States with one COLR and one IAC	
North Carolina	25.1
South Carolina	27.6
California	42.7
Maryland	46.7
North Dakota	56.4
Minnesota	60.1
Missouri	67.9
Hawaii	76.9
Ohio	98.7
New Mexico	118.1
Louisiana	127.6
Oregon	146.5
State with no IAC	
West Virginia	42.1
Wyoming	74.5
Nevada	94.0
District of Columbia	264.2
State with multiple COLRS	
Texas	73.1
Oklahoma	103.8

Source: Tables 2, 3, and 5, Part III
National Center for State Courts, 1990

Graph 7 focuses on the COLRs in states with at least one IAC. Filings that will be decided on the merits range from less than one per 100,000 population in Michigan to 75 per 100,000 population in Alaska. Granted petitions constitute the majority of cases decided by the COLRs of Louisiana, Massachusetts, Missouri, and Pennsylvania. In California, the number of appeals and the number of granted petitions are nearly equivalent.

Caseloads are presented as filings per 100,000 population. While facilitating comparisons among the states, it is not the measure of greatest weight for the justices or clerks of those courts. Rates based on filings per justice/judge, presented in Tables 2-5, Part III, are perhaps more responsive to the immediate concerns of those working in appellate courts. The next subsection examines a particular aspect of appellate court workload: written opinions.

APPELLATE COURT OPINIONS IN 1988. The preparation of full written opinions "has been called the single most time-consuming task in the appellate process."[29] Rising appellate caseloads have led to both curtailment of full opinions to decide cases and to concern

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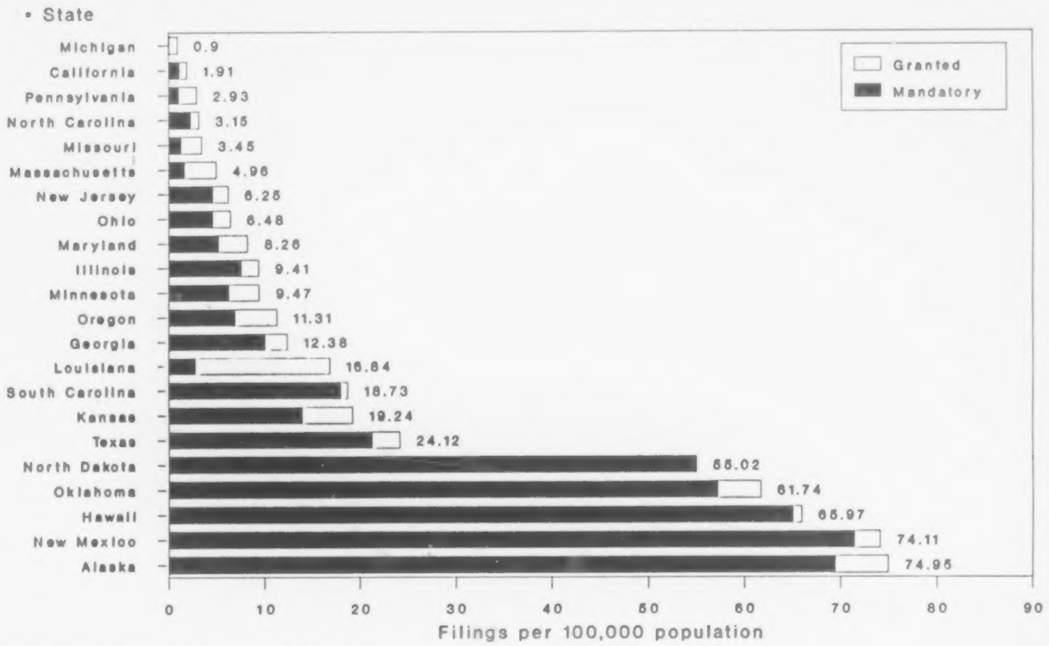
[29] American Bar Association, Judicial Administration Division, *supra* note 23, p. 21.

GRAPH 7: Mandatory Filings and Petitions Granted per 100,000 Population in COLRs, 1988



The following states are not included:
AL, AZ, AR, CO, CT, FL, ID, IN, IA, NY, UT, VA, WA, WI.

over the availability of sufficient judicial time to prepare full opinions in important cases.

Table 6, Part III (p. 106), presents the number of signed opinions issued by state appellate courts during 1988. The table also provides supplementary information that describes whether the count is by case or by written document and whether majority opinions, per curiam opinions, and memorandums/orders are included in the count. Information is also provided on the number of justices or judges serving on each court and the number of support staff with legal training that the court employs. The number of justices or judges is particularly significant, as appellate courts, and especially IACs, vary greatly in size. COLRs vary from three (the Oklahoma Court of Criminal Appeals) to nine justices (the Alabama Supreme Court, the District of Columbia Court of Appeals, the Iowa Supreme Court, the Mississippi Supreme Court, the Texas Supreme Court, and the Washington Supreme Court). IACs range in size from three judges (in Alabama, Alaska, Hawaii, and Idaho) to the 88-judge California Courts of Appeal.

The restricted size of COLRs and the nature of their responsibilities tends to limit the number of signed opinions to several hundred in a year (the U.S. Supreme Court typically decides about 150 cases a year by opinion).[30] Generally, courts can determine how they decide cases, whether by full explanatory opinion or by order, and thus control their workload. Therefore, the number of signed opinions is not directly related to the number of cases decided by the court on the merits during 1988. Among COLRs, they range from 55 in Delaware to 672 in Alabama.

IACs vary considerably in the number of signed opinions issued during 1988. The highest number was reported by the California Courts of Appeal: 8,693 (compared to the 122 opinions reported by the California Supreme Court). The IACs in Florida, Michigan, Ohio, Pennsylvania, and Texas reported more than 4,000 signed opinions.

Appellate courts decide appeals in other ways that also state the facts of the case and reasons for the court's decision. These include memorandum decisions, which are signed, and per curiam opinions, which are for the court and generally very brief, but in some appellate courts they state the court's reasoning. What differentiates a signed opinion from a memorandum decision varies among appellate courts. All unpublished opinions are designated memorandum decisions by some courts and are counted separately from the signed opinions shown in Table 6, Part III. Other courts merge memorandum decisions with the count of signed opinions. Therefore, despite their significance, statistics on opinions are the least comparable element to appellate court caseloads.

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[30] The U.S. Supreme Court disposed of 156 cases by signed opinion (133 consolidated opinions) and 12 cases by per curiam opinion (statistics supplied by the Office of the Clerk, Supreme Court of the United States).

Appellate Courts in 1988: A Summary

Nationally, there were 4.2 percent more appellate filings in 1988 than in 1987. Of course, this does not mean that filings in all courts increased; rather, more COLRs and IACs reported increases than reported decreases. The general increase, based on courts reporting comparable data in the two years, should be viewed in the context of increasing appellate caseloads over the past three decades.

The combined state court appellate filings in 1988 consisted of 11.5 percent mandatory appeals to COLRs, 18.8 percent discretionary petitions to COLRs, 61.4 percent mandatory appeals to IACs, and 8.3 percent discretionary petitions to IACs.

Most two-tier appellate systems conformed to the pattern in which the COLR controls its docket through discretionary jurisdiction and most mandatory appeals are heard in an IAC. There are a number of states to which that pattern does not apply. In some states, the COLR continues to hear and decide most of the filings, often in the form of mandatory appeals. The IACs in these and other states have been allocated significant discretionary jurisdiction.

The rate at which appeals are filed per 100,000 population varies substantially among the states. When mandatory appeals and discretionary petitions are examined separately, however, there is a large middle ground of states with broadly similar filing rates. Differences in appellate procedure and jurisdiction are shown in the percentages by which courts grant discretionary petitions. Generally, IACs grant a higher percentage of petitions than do COLRs, but information on the number of petitions granted is not made available by most appellate courts.

Appellate courts in most states disposed of more cases in 1988 than were filed during the year. A case disposed of in 1988 could, of course, have originated in a filing several years previously. Appellate courts that report clearance rates of substantially less than 100 percent accumulated a larger pending caseload during 1988 and cases must be heard and decided more expeditiously in 1989 and subsequent years if these courts are to remain current.

Trial Court and Appellate Court Caseload Trends, 1984-88

This section describes change over a five-year period in the caseloads of state trial and appellate courts. Such a more-broadly based appraisal of the work of the state courts during the mid-1980s serves several purposes. First, it indicates whether the differences among states and the patterns highlighted in the preceding sections for 1988 are stable features of state court systems. Second, it outlines the direction, if any, in which courts and court users nationally are now moving. Clear trends allow us to infer probable future situations from previous circumstances. The examination of recent trends begins with trial court case filings, focusing on felony and tort cases.

Trends in Civil and Criminal Trial Court Filings, 1984-88

This analysis places 1988 trial court filings in the context of recent caseload trends. Two questions are addressed. First, to what extent are filing rates for individual states and courts essentially stable over time? If filing rates change dramatically and unsystematically from year to year, then the rankings of states reported in the preceding section for civil, criminal, and juvenile filing rates are probably attributable to short-term or random factors. Stability in ranking suggests that durable characteristics such as state legal systems, economies, and demographics are influential in determining the size and composition of court caseloads.

Second, is there sufficient consistency among courts and states to draw conclusions about nationwide change in the state courts? Although states differ in how they report their caseload data, each state tends to retain its system for generating caseload statistics and can thus define its own baseline when assessing the direction and magnitude of change over time. Also, sharp fluctuations from one year to the next can be linked with specific changes in a state's law, procedures, or recordkeeping and not confused with underlying, fundamental trends in filing levels.

The baseline used for this section is the caseload reported by state trial courts in 1984.[31] The trends describe subsequent changes in felony and tort case filings. Contract and real property rights cases are also briefly examined to determine if such civil cases are changing in the same direction and at the same pace as tort cases. Felony, tort, contract, and real property rights cases tend to consume more court resources than other case categories and to speak directly to the concerns and questions court managers, legislators, and the public have about the work of the state courts.

The data used in this section consists of caseload information reported in the *State Court Caseload Statistics: Annual Report* series, 1984 to 1988. Examining

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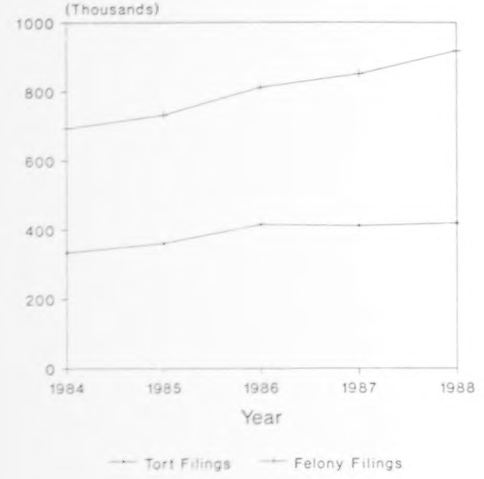
[31] The caseload statistics series published by the National Center for State Courts begins in 1975. However, the period 1984 to 1988 is the longest continuous time span for which caseload data comparable to that reported in this volume can be obtained for a significant number of general jurisdiction courts. The only other annual series on state court caseloads was collected and published by the U.S. Bureau of the Census. The last volume in that series reported 1946 statistics.

CHART 5: Felony and Tort Trial Court Filings, 1984–88 Trends



Felony and Tort totals refer only to courts listed in Tables 15 and 16, respectively

trends limits the data to states that reported statistics in comparable terms over the entire time span. Therefore, some states that have refined their data collection procedures in recent years may have relevant statistics in the 1988 report but are excluded from the trend analysis, which includes those states that provided data throughout the five-year span.

TRENDS IN FELONY FILINGS, 1984-88. Felonies are serious criminal offenses. The line dividing felonies from other criminal offenses and the specific offenses included varies among the states but felony case filings always include the most serious offenses and exclude minor offenses. Typically, a felony is an offense for which the minimum prison sentence is one year or more.[32]

Comparable felony filing data can be obtained from 32 statewide general jurisdiction trial court systems for the period 1984 to 1988. The number of felony cases filed per year in each court system is detailed in Table 15, Part III (pp. 171–74). The combined felony caseloads of the 32 states rose by nearly one-third (32.2 percent) between 1984 and 1988. **Chart 5** depicts the trend that links the filing levels in those two years. The largest year-to-year change was in 1985-86, when filings rose by 10.8 percent (see Table 15, Part III).

Text Table 8 summarizes the experiences over those years of the general jurisdiction courts in each of the 32 states, using filing rates per 100,000 adult population. States are ranked by the magnitude of the overall percentage change in filing rates over the five years. Percentage changes between adjacent years are also shown. The use of population based rates implicitly imposes a burden for a trend analysis in which court caseloads must rise more rapidly than the state population to show an increase. Population adjusted rates, however, are used to be consistent with previous sections and to facilitate comparisons by identifying the relative size of the caseloads confronting the various states. The subsection on tort trends discusses the implications of population-adjusted filing rates.

The trend over the 1980s is clear: felony filings are increasing and increasing substantially in the general jurisdiction courts of most states. Consistency across states strongly supports the identification of a national trend.

Filings per 100,000 population increased in approximately two-thirds of the courts reporting relevant data for each set of adjacent years. Between 1987 and 1988, six states registered a decrease, (although the change in four states was 2 percent or less) and 26 registered an increase. The patterns of change observed over this most recent period were roughly similar to those occurring throughout the past five years.

Increases tended to be substantial. While very few state courts reported a decrease of more than 10 percent, and most decreases were less than 5 percent, many courts reported year-to-year increases of 10 to 20 percent. Of the 32 states reporting relevant data, 13 showed continuous yearly increases across the five-year span. There were, however, fluctuations for most courts despite the strong underlying trend toward higher felony filings. Montana, for example, registered little change between 1985-86, a 5 percent decrease between 1986-87, and a 12 percent increase between 1987-88. No state registered four successive decreases during the five-year period and only two states with relevant data (Hawaii and Oklahoma) failed to register at least one increase of 5 percent or more. In all, 29 of the 32 states showed an increase in felony filings over the last five years.

Despite the general trend in increasing filings, there are important differences among the states in the patterns that characterize the annual rates of change. The experience of the states in changing levels of felony filings per 100,000 population between 1984 and 1988 falls into four main patterns. First, strong and consistent upward trends (1 percent or more per year) are identifiable in California (a cumulative increase of 41.5 percent), Connecticut (55.5 percent), the District of Columbia (106.3 percent), Indiana (52.4 percent), Minnesota (30.3 percent), New Hampshire (42.5 percent), New York (34.5 percent), Oregon (27.4 percent), Texas (33.9 percent), and Washington (52.3 percent).

Second, seven other states manifest a pattern that can be categorized as having a clear upward trend, but without consistent year-to-year increases exceeding 1 percent over the time period (some years changes in felony filing rates were in the -1 percent to 1 percent

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[32] Wayne Logan, Lindsay Stellwagen, and Patrick Langan, *Felony Sentencing Law of the 50 States and the District of Columbia, 1986.* Washington D.C.: U.S. Department of Justice, Bureau of Justice Statistics (NCJ-105066), 1988.

TEXT TABLE 8: Trends in Felony Filings per 100,000 Adult Population Percentage Change by Year and Over Five-Year Period

(Sorted by Five-Year Percentage Change)

	General Jurisdiction Courts						
Court	**Felony Filings per 100,000 1984**	**Percent Change 84-85**	**Percent Change 85-86**	**Percent Change 86-87**	**Percent Change 87-88**	**Felony Filings per 100,000 1988**	**Percent Change Overall**
HAWAII Circuit*	395	-4.6%	-2.9%	-5.1%	3.2%	358	-9.3%
WEST VIRGINIA Circuit	332	-0.3	-3.1	8.1	-11.7	307	-7.7
MISSOURI Circuit	976	16.1	5.7	-23.0	4.7	965	-1.1
WISCONSIN Circuit	390	6.8	-1.2	-5.3	3.7	404	3.7
KANSAS District	638	-8.1	4.4	2.9	5.1	662	3.7
WYOMING District	417	1.0	-1.3	-4.7	10.7	438	5.1
VERMONT District	471	2.0	13.0	-4.5	-2.0	508	7.9
MAINE Superior	375	13.3	-3.2	-0.7	-0.7	406	8.2
OKLAHOMA District	1017	2.0	3.2	3.7	-0.8	1102	8.3
COLORADO District	637	4.9	0.3	-0.1	6.8	715	12.3
NEW JERSEY Superior	656	1.1	0.2	6.2	5.5	744	13.5
IOWA District	360	4.8	-3.1	7.0	4.4	409	13.5
OHIO Court of Common Pleas	471	-2.2	5.5	2.0	9.6	543	15.3
MONTANA District	404	7.5	1.3	-5.2	11.8	467	15.4
VIRGINIA Circuit	1013	-0.2	3.8	6.1	5.6	1176	16.0
NORTH DAKOTA District	263	2.2	5.7	7.9	0.9	309	17.6
ARKANSAS Circuit	1060	18.0	1.6	12.2	-11.1	1267	19.5
SOUTH DAKOTA Circuit	521	18.0	1.4	2.3	-1.1	631	21.1
NORTH CAROLINA Superior	924	-5.1	8.9	12.0	6.4	1139	23.3
ILLINOIS Circuit	548	-0.6	1.8	-2.2	24.9	677	23.7
ARIZONA Superior	699	6.9	14.7	1.3	0.6	874	25.0
OREGON Circuit	1013	3.3	7.0	7.7	7.0	1291	27.4
MINNESOTA District	581	7.8	1.4	9.7	8.6	757	30.3
TEXAS District	774	4.9	16.6	6.8	2.5	1037	33.9
NEW YORK Supreme and County	369	3.2	10.6	11.1	6.0	496	34.5
CALIFORNIA Superior	392	7.5	13.1	8.0	7.8	555	41.5
NEW HAMPSHIRE Superior	526	7.1	12.4	10.3	7.3	750	42.5
WASHINGTON Superior	484	14.5	7.5	5.0	17.8	737	52.3
RHODE ISLAND Superior	575	11.9	-9.4	-3.0	55.0	876	52.4
INDIANA Superior and Circuit	342	9.2	22.8	6.5	6.8	521	52.4
CONNECTICUT Superior*	161	7.2	7.4	9.4	23.4	251	55.5
DISTRICT OF COLUMBIA Superior	2169	15.7	32.3	23.8	8.8	4473	106.3

*Figures for felony filings do not match those reported in the 1984, 1985, and 1986 *State Court Caseload Statistics: Annual Reports*. For Connecticut Superior, the felony filings have been adjusted to include only triable felonies so as to be comparable to 1987 and 1988 data. For Hawaii Circuit, misdemeanor cases have been included to allow comparability with 1987 and 1988 data.

Source: Table 15, Part III
National Center for State Courts, 1990

range). These states (and the percent increase recorded between 1984 and 1988) are Arizona (25.0 percent), Colorado (12.3 percent), New Jersey (13.5 percent), North Dakota (17.6 percent), Oklahoma (8.3 percent), South Dakota (21.1 percent), and Virginia (16.0 percent).

Third, there is a pattern of mixed increases and decreases in the yearly changes experienced by Arkansas, Illinois, Iowa, Kansas, Maine, Montana, North Carolina, Ohio, Rhode Island, Vermont, Wisconsin, and Wyoming. It should be noted that the percentage change for the five years as a whole was positive in all these courts. However, the direction of year-to-year changes was not consistent.

Lastly, three states (Hawaii, Missouri, and West Virginia) appear to have experienced downward trends. Filing rates in those states tended to decline over the 1984-88 period but not consistently.

In sum, felony filings nationally manifest a clear upward trend. The time span covered is still brief and data are not available for some states. But virtually all states with relevant data, states drawn from all regions of the country, demonstrate a pattern of rising felony case filings.

TRENDS IN TORT FILINGS, 1984-88. Torts are allegations of injury or wrong committed either against a person or against a person's property by a party who either failed to do something that they were obligated to do or did something that they were obligated not to do. The caseload statistics reports for 1985, 1986, and 1987 contained a separate section devoted to trends in tort

TEXT TABLE 9: Trends in Tort Filings per 100,000 Population Percentage Change by Year and Over Five-Year Period

(Sorted by Five-Year Percentage Change)

Court	Tort Filings per 100,000 1984	Percent Change 84-85	Percent Change 85-86	Percent Change 86-87	Percent Change 87-88	Tort Filings per 100,000 1988	Percent Change Overall
General Jurisdiction Courts							
ALASKA Superior	261	54.1%	9.3%	-27.9%	-43.5%	179	-31.4%
NEW YORK Supreme and County	213	-6.3	-9.9	6.7	-10.8	171	-19.7
MAINE Superior	180	-1.2	-2.1	-13.7	-2.0	147	-18.2
IDAHO District	173	15.8	5.7	-16.7	-17.7	145	-16.1
WASHINGTON Superior	207	6.9	97.8	-59.6	6.6	188	-9.0
UTAH District	87	-12.7	100.5	-47.6	4.7	83	-4.1
MONTANA District	199	13.7	-1.0	-1.2	-13.6	191	-3.8
TEXAS District	214	7.3	-0.2	5.9	-10.5	217	1.5
HAWAII Circuit	155	2.6	3.5	0.2	-4.2	158	1.9
PUERTO RICO Superior	121	10.6	3.9	5.3	-15.8	124	1.9
NORTH DAKOTA District	80	-6.8	10.5	-0.8	0.9	83	3.2
COLORADO District	132	6.3	33.9	-40.9	22.7	137	3.3
KANSAS District	165	0.2	4.8	1.8	4.1	184	11.3
FLORIDA Circuit*	244	7.5	10.9	-4.1	-0.5	278	13.9
MARYLAND Circuit	249	-7.4	20.3	2.9	7.4	306	23.1
CALIFORNIA Superior	379	12.2	13.6	3.0	-5.9	468	23.4
OHIO Court of Common Pleas	206	15.3	10.5	3.8	-3.2	264	28.0
NEW JERSEY Superior	555	0.4	7.3	1.8	19.6	728	31.1
MICHIGAN Circuit**	255	-1.8	42.1	-9.3	3.6	335	31.2
ARIZONA Superior	300	12.2	6.2	1.1	62.2	587	95.5
Limited Jurisdiction Courts							
ALASKA District	116	42.3	362.5	-73.3	-58.3	85	-26.6
OHIO County	5	-10.5	-0.3	-12.6	0.3	4	-21.8
HAWAII District	67	-7.3	12.2	24.6	-17.9	71	6.5
OHIO Municipal	126	-3.7	7.7	10.4	-1.5	142	12.8
PUERTO RICO District	47	1.9	12.7	-3.0	6.9	56	19.0
TEXAS County-Level	45	12.7	17.1	14.3	7.4	72	62.0

*Figures for tort filings do not match those reported in the 1986, 1987, and 1988 *State Court Caseload Statistics: Annual Reports.* Professional tort cases in Florida Circuit have been removed so as to be comparable to 1984 and 1985 data.

**Data from 4 counties was unavailable for the 1984 total tort figures.

Source: Table 16 , Part III
National Center for State Courts, 1990

litigation. This report updates selected indicators of trends in torts and general civil case filings.[33]

Comparable tort filing data can be obtained from 20 general jurisdiction courts for the period 1984 to 1988. The actual number of tort filings per year are detailed in Table 16, Part III (p. 175). **Text Table 9** summarizes the change experienced by each court in each year by showing the rate of filings per 100,000 population (in 1984 and 1988) and the percentage change between adjacent years and for the five-year period as a whole. The courts are ranked by the percentage change in the rate of tort filings per 100,000 population over the past five years.

The data suggest three consistencies in tort filings. First, tort filing rates in most states fluctuate rather than remain stable. Second, there is a national direction to the fluctuation in a given year. Third, despite the fluctuations, there is an apparent underlying upward or downward trend in some states.

The first consistency answers the question about stability in filing rates. Filing rates in most states fluctuate from year-to-year, often substantially. The more extreme year to year changes in tort filing levels are often the short-term effects of tort reform legislation that make it advantageous for litigants to file a lawsuit either before or after a particular date. This issue is examined by linking the timing of recent statutory changes in Alaska, Arizona, Michigan, New Jersey, Washington, and Utah to observed abrupt shifts in the level of tort filings in those states.

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[33] Before 1986, civil case filings in New York's general jurisdiction courts, the supreme court and county court, were reported based on a count taken at the "trial note of issue," a document by which the parties indicate their readiness for trial. In 1986, 1987, and 1988, civil filing statistics from those courts are based on a count taken at the "request for judicial intervention," which is usually filed with the first motion, an event that takes place at an earlier stage in the litigation process than the "trial note of issue." The change in the point of count is of great significance for the caseload data. The New York supreme and county courts reported 126,776 civil case filings in 1985 and 284,568 in 1986. To make the trend tables prepared by the NCSC Court Statistics Project consistent over time, Table 16 in Part III is based on a count of filings taken at the "trial note of issue" using information provided by the New York state office of court administration.

Tort reform legislation during 1986 and 1987 revised several aspects of Alaska's civil law. In 1986 a $500,000 ceiling on noneconomic damages in personal injury cases was established.[34] In addition, the Alaska legislature in 1987 did away with pure joint and several liability for joint tortfeasors (defendants).[35] The result is that a plaintiff can no longer recover all damages from one tortfeasor; rather, each tortfeasor is now responsible for an amount of damages based upon his or her percentage of fault. The substantial rise in tort filings during 1985 and 1986 is likely to represent an effort by people to have their cases decided under the old law. The sharp declines during 1987 and 1988 to levels roughly in line with pre-1985 filing rates support this reasoning.

Arizona offers a clear example of the potential impact of change in filing incentives brought about by changes in the legal framework. In 1987, the Arizona legislature abolished joint and several liability with the statute taking effect on January 1, 1988.[36] The impact was dramatic. "Of the 17,128 tort cases pending in Maricopa County as of December 30, 1987, 8,223 were filed in that very month, precisely to take advantage of the old doctrine. The court administrator's office reports that the average number of new tort filings per month in Maricopa County is 615."[37] This change undoubtedly underlies the 62 percent increase in the tort filing rate per 100,000 population between 1987 and 1988.[38]

In 1986, the Michigan legislature established a case evaluation panel to screen most civil actions in order to identify and penalize frivolous law suits (especially tort actions).[39] The panel became effective on October 1, 1986. When the panel determines that an action is frivolous, the plaintiff proceeds to trial at the risk of serious penalties should the judgment be against him or her. This statute seemingly accounts for the large increase in the number of tort filings in 1986 (the last year before the evaluation panel came into effect).

On December 27, 1987, New Jersey statute law established mandatory arbitration for personal injury actions involving less than $20,000.[40] Because arbitration is generally less expensive for the litigants, this change in the law provides a strong incentive for the plaintiffs with relatively small personal injury claims to bring suit where they otherwise would not. This statute is one factor responsible for the nearly 20 percent increase in tort filings per 100,000 population the state recorded during 1988.

Tort reform legislation in Utah during 1986 set a cap on the amount of noneconomic damages that a plaintiff could recover, modified the doctrine of joint and several liability, and required structured settlements for certain categories of awards. Tort filings in Utah doubled between 1985 and 1986 and then decreased by 48 percent between 1986 and 1987. Thereafter, the upheaval dissipated, with tort filings remaining relatively constant between 1987 and 1988 (a slight increase of just under 5 percent). The net effect was minor when considered in relation to population: there were 76 tort filings per 100,000 population in the Utah District Court in 1985, spiked to 152 filings per 100,000 population in 1986, and dropped to 83 per 100,000 population in 1988.

The sharp fluctuations noted for the state of Washington appear to reflect the same pattern of a sharp rise in response to incentives to file in one year followed by an equally precipitous decline back to a rate near the original filing level. Tort filings doubled between 1985 and 1986 and then fell by 59 percent in 1987. The 1988 statistics suggest the short-term nature of this jolt as the tort filing rate in 1988 is quite similar to the pre-1986 levels.

Other fluctuations may reflect changes over the 1980s in the maximum dollar amount jurisdiction for cases filed in courts of limited jurisdiction and for small claims procedures. In most states, those maximums have increased substantially. Limited jurisdiction courts and small claims procedures are now viable alternatives to filing a tort case in the general jurisdiction courts of many states. This adds weight to the significance of the increases observed in tort filings, since case filings in general jurisdiction courts perhaps represent a declining share of total claims for tort damages. For example, on July 1, 1986 (the start of the court reporting year), the maximum dollar amount of a small claims filing in the Alaska District Court rose from $1,000 to $5,000. This change, in addition to the change in tort law discussed earlier, may account for the large decreases in the tort filing rate per 100,000 population in both the Alaska Superior and Alaska District Courts during the 1986 to 1988 period.

A second consistency in tort filing rates in the latter half of the 1980s speaks to the question of national patterns. There is some consistency among states in the timing of upward and downward fluctuations. Filing rates tended to increase in 1985 and again in 1986. Between 1984 and 1985, 14 of 20 states registered increases in the rate at which tort cases were filed in their general jurisdiction trial court. Between 1985 and 1986, 16 of 20 states registered an increase. This upward trend seems to be leveling off in that the changes between 1986 and 1987 and between 1987 and 1988 both showed an even mix of increases and decreases.

This appearance of a leveling off in tort filings is further confirmed by examining the aggregate number of tort filings for the 20 states being examined, as shown in Chart 5 (Table 16, Part III, p. 175). For those states, there was an overall increase in tort filings of 24.7 percent during the past five years. Most of this growth occurred between 1984 and 1986 (23.8 percent). Although some growth has continued between 1986 and 1988, it is slight (just under 1 percent). This consistency suggests factors operating at a national or perhaps regional level that affect the extent and direction of change to tort filing rates. Thus despite the link between extreme fluctuations in some states and specific legislative initiatives, there is nevertheless some evidence of a national direction in tort filings. This may reflect the pervasiveness of the wave of tort reform in the mid-1980s or other factors that affect incentives to litigate.

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[34] Section 09.17.101 of the Code of Civil Procedure.

[35] Chapter 16 of the Code of Civil Procedure was repealed in 1987.

[36] Section 12-2506 of the Arizona Revised Statutes. This change became effective January 1, 1988.

[37] Elliot Talenfeld, "Instructing the jury as to the effect of joint and several liability: time for the court to address the issue on the merits," *Arizona State Law Journal*, 20:925, 1988.

[38] Although the new statute took effect January 1, 1988, its impact was felt on the 1988 filing rates because Arizona is on a July 1-June 30 reporting period.

[39] Section 600.4963 of the Michigan Compiled Laws.

[40] Section 2A:23A-20 of the New Jersey Revised Statutes.

A third consistent pattern is that the direction of trends in filings is upward. Maine is the only state in Text Table 9 in which tort filings decreased each year during the five-year period. Despite the apparent slowing in tort growth over the past two years, enough states are still experiencing increases in their general jurisdiction court filings during the 1984-88 period to support a general upward trend. Kansas, New Jersey, and Arizona experienced four successive increases, while 13 of the 20 states showed an overall increase in tort filings between 1984 and 1988.

Some of the increases over the full 1984-88 period are substantial indeed. Tort filings per 100,000 population increased by 95 percent in Arizona, 23 percent in California, 31 percent in Michigan and New Jersey, and 28 percent in Ohio. Most increases were more modest and the story that emerges from the case filing statistics will vary depending on which states are regarded as the most significant bellwethers of change. Some tentative trends can be discerned, however, based on the 1984-88 tort filing data. Each trend is distinctive in terms of the consistency and direction of change in filing rates.

First, tort filings in three states have grown consistently over the 1984-88 period: Arizona, Kansas, and New Jersey. Second, there was an apparent upward trend in eight states, broken only in one year. The following states show an increase in tort filings for all years except: (a) 1984-85—Maryland; (b) 1986-87—Colorado and Washington; and (c) 1987-88—California, Hawaii, Ohio, Puerto Rico, and Texas. Third, filings in seven states do not manifest a clear direction, fluctuating from year to year. Those states showing substantial fluctuation over the five-year period are: Alaska, Idaho, and Utah. Those states that have exhibited relatively minor year-to-year change are: Florida, Montana, North Dakota, Michigan, and New York.

Maine suggests a fourth trend that may also be present in states not included in Text Table 9. Maine is the only state offering consistent evidence of a downward trend; the decrease, however, has been slight in most years.

To summarize, the available state court data suggest that overall tort filings are currently increasing at much more modest rates than earlier in the decade. This trend is less apparent at the state level where a great deal of variability exists. Over the last five years, the courts examined include three states with a consistent upward trend and eight additional states with a predominant upward trend despite some yearly fluctuation. The filing rate has consistently decreased in only one state. There is no satisfactory basis for attributing a direction to the filing data for the eight remaining states.

Torts are a type of court case likely to consume substantial court resources and are used as a key measure in the debate on whether the level of litigation in this country is rising. This section has laid the groundwork by examining the growth of tort filings as a distinct casetype. The next subsection extends the analysis by examining the growth of tort filings relative to other categories of civil caseload.

TORTS AND OTHER CIVIL LITIGATION, 1984-88. The trends just identified are short-term. The available information covers too brief a time span to draw firm conclusions about the extent and direction of fundamental change in tort filings. It would buttress the tentative conclusions considerably, however, if even in the short-term, tort filings were increasing more rapidly than other types of civil cases.

This is pursued by providing a broader context to gauge what is now happening in tort litigation. The first method considers torts as a percentage of total civil filings between 1984 and 1988. Since torts are a component of total civil filings, a change in this percentage indicates whether torts are becoming a larger component of state court caseloads. This index provides another way to judge the amount of change in tort litigation.

The second method is to offer a more refined standard by which to judge the degree of change in tort litigation. This takes the form of a comparison of the five-year trends in tort, contract, and real property rights cases. Examining trends in these select casetypes allows us to draw conclusions on whether torts are increasing more sharply and more consistently than other major forms of civil cases.

Torts as a Percentage of Total Civil Filings. It is possible to calculate the percentage tort cases represent of total civil filings in 20 general jurisdiction state court systems. The number of tort cases filed annually in each court system is shown in **Text Table 10**; total civil filings are taken from Table 9 in the various annual caseload reports for the years under consideration.

In 12 states the percentage was essentially unchanged over the five-year period; in one state the percentage consistently increased; and in seven states there were mixed increases and decreases.[41]

The only state to show a continual increase in the percentage of tort cases was Arizona. Torts represented 10.7 percent of Arizona's 1984 civil filings and 19.1 percent of 1988 filings. This increase reflects the effects of tort reform discussed earlier. There were several states that showed pronounced increases in specific years or for certain periods in the five-year span. California, Hawaii, and Texas all showed an increasing percentage of tort filings from 1984 to 1987 before a slight decline

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[41] A more formal analysis would take into consideration that a change from 21 percent to 22 percent is not proportional to a change from, say 3 percent to 4 percent. The standard procedure is a logarithmic transformation of the data.

TEXT TABLE 10: Tort Filings as a Percentage of Civil Filings

Court	1984	1985	1986	1987	1988
ALASKA Superior	7.8%	11.4%	14.2%	11.0%	6.4%
ARIZONA Superior	10.7	11.1	11.6	12.1	19.1
CALIFORNIA Superior	16.2	17.9	19.9	20.4	19.6
COLORADO District	4.8	5.0	5.8	3.5	4.1
FLORIDA Circuit	7.0	7.1	8.0	8.0	7.6
HAWAII Circuit	6.2	6.4	6.7	6.9	6.4
IDAHO District	2.9	3.3	3.5	3.1	2.5
KANSAS District	3.4	3.2	3.2	3.1	3.2
MAINE Superior	30.7	28.8	30.9	29.9	26.0
MARYLAND Circuit	11.1	10.1	11.6	12.2	12.6
MICHIGAN Circuit	15.5	15.3	18.9	17.4	17.2
MONTANA District	6.2	6.8	6.5	6.7	6.3
NEW JERSEY Superior	7.4	7.1	7.3	7.3	8.2
NEW YORK Supreme and County	29.9	28.0	26.7	28.2	26.7
NORTH DAKOTA District	4.0	3.6	3.7	3.6	3.2
OHIO Court of Common Pleas	7.6	8.8	8.7	8.7	8.3
PUERTO RICO Superior	6.3	7.0	6.7	7.4	6.7
TEXAS District	7.7	8.3	9.1	9.2	8.0
UTAH District	4.8	4.1	7.6	4.5	4.7
WASHINGTON Superior	8.0	8.0	14.4	6.2	6.5

Source: Trial Court Statistical Profiles, Court Statistics Project, 1984-88.

in 1988. After a small decline in 1985, the percentage of tort filings in Maryland has increased from 10.1 percent to 12.6 percent in 1988. Given the legislative initiatives previously discussed, it is predictable that Utah and Washington show large increases in 1986 in the share tort cases represent of total civil filings. Again, the change in tort filings relative to total civil filings underscores the importance of tort reform for the composition of total civil caseloads.

A pattern of continuously smaller percentages is not found. However, all courts except Arizona had at least one year where torts as a percentage of total civil caseload declined.

Torts as a percentage of total civil filings offers an indicator of change that is not linked to state population. The size of the population is growing in most states, and if the absolute number of filings remains constant from one year to the next the result is a decreased filing rate. The use of population adjusted filing data therefore imposes a more difficult standard for upward trends than for downward trends. Also, population change for individual states is often influenced by net migration, which can cause rapid change to the population size of states in some regions.[42]

In general, the use of percentages in this section tends to support the conclusions drawn using tort filing trends and rates per 100,000 population of the last section. Overall, in 11 of the 20 states torts were increasing more rapidly than other civil filings between 1984-88. There was, however, a sharp upward swing in tort filings between 1985 and 1986: torts increased as a percent of total civil filings in 15 of 20 courts reporting comparable data. Although that degree of increase did not recur for most states in either 1986-87 or 1987-88, there is more evidence in support of rising tort filings than in support of declining tort filings.

Trends in Tort, Contract, and Real Property Rights Filings, 1984-88. Torts are a small component of civil filings in most general jurisdiction trial courts. The range in 1988 was from 3 percent (in Kansas) to 26 percent (in Maine), with the majority being less than 10 percent. Therefore, when comparing torts as a percentage of total civil filings, large increases in tort filings may be partially concealed because torts are so small a percentage of all civil cases. This section attempts to alleviate this concern by narrowing the field of inquiry to an examination of the relationship between tort, contract, and real property rights cases.

Contract case is a major classification category for civil cases that includes disputes over a promissory agreement between two or more parties. Real property rights cases arise out of contention on the ownership, use, or disposition of land or real estate (*State Court Model Statistical Dictionary*). Examining trends in these two major forms of civil litigation in relation to tort cases provides a further means of assessing the change in tort litigation. Specifically, are these two casetypes changing more consistently and substantially than tort filings? This is the case in the federal courts, where contract cases are increasing more rapidly than tort filings.[43]

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[42] Tort filings can be standardized using a variety of rates, including rates per 100,000 households, rates per 100,000 firms, or rates per 100,000 economic transactions in a state. The rate selected should reflect the purpose of the analysis. In this report, the issue is simply whether filings are increasing more or less rapidly than the population.

[43] Marc Galanter, "The Life and Times of the Big Six; or, the Federal Courts Since the Good Old Days," *Wisconsin Law Review*, 1988, No. 6, pp. 921-954.

TEXT TABLE 11: Tort, Contract, and Real Property Rights Filings Per 100,000 Total Population

Tort Filings per 100,000 Total Population

Court	Tort Filings per 100,000 1984	Tort Filings per 100,000 1985	Tort Filings per 100,000 1986	Tort Filings per 100,000 1987	Tort Filings per 100,000 1988	Overall Percent Change 84-88*
General Jurisdiction Courts						
ARIZONA Superior	300	337	358	362	587	95.5%
COLORADO District	132	140	188	111	137	3.3
FLORIDA Circuit	244	263	291	280	278	13.9
HAWAII Circuit	155	159	165	165	158	1.9
KANSAS District	165	166	174	177	184	11.3
MARYLAND Circuit	249	230	277	285	306	23.1
MONTANA District	199	226	224	222	191	-3.8
NEW JERSEY Superior	555	557	598	608	728	31.1
NORTH DAKOTA District	80	75	83	82	83	3.2
PUERTO RICO Superior	121	134	140	147	124	1.9
TEXAS District	214	230	229	243	217	1.5
UTAH District	87	76	152	79	83	-4.1
WASHINGTON Superior	207	221	437	176	188	-9.0
Limited Jurisdiction Courts						
HAWAII District	67	62	69	87	71	6.5
OHIO County	5	4	4	4	4	-21.8
OHIO Municipal	126	121	130	144	142	12.8

Contract Filings per 100,000 Total Population

Court	Contract Filings per 100,000 1984	Contract Filings per 100,000 1985	Contract Filings per 100,000 1986	Contract Filings per 100,000 1987	Contract Filings per 100,000 1988	Overall Percent Change 84-88*
General Jurisdiction Courts						
ARIZONA Superior	661	690	777	758	740	12.0%
COLORADO District	480	469	561	576	525	9.2
FLORIDA Circuit	352	413	475	475	485	37.7
HAWAII Circuit	205	174	170	156	164	-20.2
KANSAS District	1722	1890	2103	2126	2142	24.4
MARYLAND Circuit	126	119	141	161	170	34.4
MONTANA District	542	582	622	523	393	-27.4
NEW JERSEY Superior	2413	2635	2693	2667	2741	13.6
NORTH DAKOTA District	592	571	579	535	548	-7.5
PUERTO RICO Superior	133	135	151	151	159	20.0
TEXAS District	320	352	333	339	279	-12.9
UTAH District	122	104	18	5	9	-92.9
WASHINGTON Superior	319	340	349	316	301	-5.9
Limited Jurisdiction Courts						
HAWAII District	1148	1213	1235	1331	1328	15.7
OHIO County	53	47	48	45	47	-12.3
OHIO Municipal	1389	1406	1477	1579	1610	16.0

Continued on next page

Complete and comparable data on tort, contract, and real property rights filings are available for 13 of the 20 general jurisdiction courts discussed in the last section. Annual filing rates per 100,000 population for the three types of civil cases and the overall percentage changes in filing rates between 1984 and 1988 are summarized in **Text Table 11**. The courts are categorized by the five-year percentage change.

The consistencies identified for tort filing rates also apply to contract and real property cases over the 1984-88 period. During the five-year period, the change in all three casetypes was upward in most states. Aggregating the data from all 13 courts shows that between 1984 and 1988 tort filings increased by 26.4 percent while contract filings increased 16.9 percent and real property rights filings rose by 35.1 percent.

This overall upward trend characterizes the experience of the individual states. Between 1984 and 1988, 7 of the 13 states reported increases in contract filings, 8 states reported increases in real property rights filings,

TEXT TABLE 11: Tort, Contract, and Real Property Rights Filings Per 100,000 Total Population, *continued*

Real Property Filings per 100,000 Total Population

Court	Real Property Filings per 100,000 1984	Real Property Filings per 100,000 1985	Real Property Filings per 100,000 1986	Real Property Filings per 100,000 1987	Real Property Filings per 100,000 1988	Overall Percent Change 84-88*
			General Jurisdiction Courts			
ARIZONA Superior	8	13	16	18	16	106.5%
COLORADO District	395	502	713	844	982	148.3
FLORIDA Circuit	277	338	407	407	437	57.4
HAWAII Circuit	24	24	21	18	20	-17.9
KANSAS District	456	499	587	627	616	35.1
MARYLAND Circuit	7	6	6	5	4	-40.5
MONTANA District	66	81	86	96	78	17.9
NEW JERSEY Superior	1622	1685	1711	1732	1869	15.2
NORTH DAKOTA District	155	189	218	245	211	36.3
PUERTO RICO Superior	299	289	318	272	240	-19.6
TEXAS District	3	3	3	3	3	-16.1
UTAH District	66	54	61	58	59	-9.9
WASHINGTON Superior	236	276	273	302	325	37.9
			Limited Jurisdiction Courts			
HAWAII District	130	146	153	143	170	30.6
OHIO County	31	35	32	31	37	22.3
OHIO Municipal	546	573	602	636	705	29.2

*Percentage changes were calculated using filings rates expressed to two decimal places.
Source: National Center for State Courts, 1990

while 10 states reported increases in tort filings. The highest rate of increase in tort filings over the past five years was in Arizona—growing by over 95 percent. This was substantially more than the growth in contract filings (12.0 percent), but less than the 106.5 percent growth in real property rights filings (although the absolute number of real property rights filings is substantially less than either tort or contract filings). At the other extreme, tort filings in Utah declined by 4 percent between 1984 and 1988, but torts still increased relative to contract and real property rights filings in that these two declined even further, 92.9 percent and 9.9 percent, respectively. In all, tort filings rose relative to contract and real property filings in four states—Hawaii, New Jersey, Texas, and Utah. Contract filings rose relative to tort and real property filings in two courts (Maryland and Puerto Rico) and the remaining seven courts showed real property rights filings increasing more rapidly than either tort or contract filings.

The change in tort filings relative to contract and real property rights varies considerably when state-by-state and year-to-year changes are examined. Aggregating the data from the 13 courts shows that both contract and real property filings increased relative to tort filings between 1984 and 1985. Only in Hawaii, Puerto Rico, and Utah did torts increase more rapidly than contract and real property rights case filings. The years 1985 and 1986 were marked by substantial increases in filing rates in all three categories of civil filings, but particularly in torts. Aggregating the 13 states, tort filings increased by 15.8 percent during the 1985-86 period, substantially faster than either contract (5.7 percent) or real property filings (9.0 percent). This appears to reflect the prevalence of tort reform during 1986. In fact, torts rose relative to both contract and real property rights filings in 6 of the 13 courts.

Following the rather large increases in civil caseload filings in 1985-86, the 1986-87 period showed substantially slower growth. In aggregate, tort filings declined by 4.3 percent between 1986 and 1987. In comparison, contract filings rose by 2.3 percent and real property rights filings increased by 4.3 percent.

During 1987 and 1988, both aggregate tort and real property right filings recorded large increases, 8.3 percent and 9.1 percent, respectively. Aggregate contract filings also increased slightly (0.1 percent) for the fifth straight year, although it should be noted, increases in contract filings became progressively smaller over the five years. Tort filings rose relative to contract and real property rights filings in six states. Overall, on a yearly basis, tort filings show the most pronounced variation. It seems reasonable to attribute this to specific tort reform legislation.

There is little consistency over the 1984-88 period in the relative growth in tort, contract, and real property rights filings within specific states. Only Florida shows a continual increase in one of the three civil casetypes relative to the others across the five years being studied, with real property rights filings increasing relative to both tort and contract filings. Real property rights cases in four additional states (Arizona, Colorado, North Dakota, and Washington) grew relative to both tort and contract filings for three of the four pairs of adjacent years. In only two states (Hawaii and New Jersey) did tort filings rise relative to contract and real property rights filings a majority of the time. Maryland, Puerto Rico, Texas, and Utah experienced a relative increase in torts across two of the four pairs of adjacent years. There is no identifiable pattern to the changes in Kansas, Montana, Texas, and Utah.

Overall, the evidence presented here indicates that tort filings are not increasing at rates that greatly exceed other major categories of civil filings. In fact, only in the 1985-86 period did the aggregate growth in torts exceed both contract and real property rights filings. Within the states, the results show more variation, but no state recorded a continual, yearly relative rise in tort filings during the 1984-88 period. There are sufficient differences between tort, contract, and real property rights case filing patterns to suggest that the factors promoting increased or decreased levels of tort litigation in states are not having a similar effect on contract and real property rights litigation.

CASE FILING TRENDS, 1984-88: A SUMMARY. This section reveals some dynamics underlying the 1988 trial court caseload statistics. Change rather than continuity characterizes filing levels for felony and civil case filings. Specifically, civil filing rates in general jurisdiction courts tend to fluctuate from year to year. The direction is toward higher rather than lower case filings, but few courts consistently demonstrate annual increases even over the limited time period considered here.

The addition of 1988 data to the tort filing time series is far from conclusive in establishing clear trends. Between 1985 and 1986 tort filing rates increased in most states reporting data, often substantially. This was largely reversed between 1986 and 1987 with tort filings leveling off, often near pre-1986 levels in 1988. An underlying tendency toward higher filing rates can be identified, but the assessment of its strength depends on the importance given to different states and to different ways of presenting the trends. A conclusive assessment awaits the accumulation of more time points in the trend series.

The trend analysis also suggests that tort filings are changing over time in a manner that differs from other civil case categories. It is possible that much of the variation in tort filing rates is attributable to specific legislative changes enacted by states during the second wave of major tort reform (the previous wave was in the late 1970s).

This implies that the identification of national patterns in civil filings is tentative. The consistencies must be balanced against the substantial variation that is present among the states and, for most states, over the 1984-88 period.

By contrast, felony case filings are clearly experiencing an upward trend. The result is a growth in the portion of criminal caseloads that carries the most substantial implications for court staffing and resources. Most courts were processing far more felony cases in 1988 than at the start of the decade.

Appellate Court Caseload Trends, 1984-88

Recent trends in appellate court caseloads can address two main questions. First, are changes in the filing and disposition rates of individual states and courts consistent from year to year? A five-year timeframe indicates whether growth or decline recorded in 1988 is attributable to long-term patterns or short-term factors. The initial step is to measure the magnitude and consistency of changes over the five years. The second step is to compare the experiences of courts of last resort with intermediate appellate courts. The final step is to determine if caseloads in states that have adopted the now standard two-level appellate system are changing in ways that differ from states with one-level systems.

Second, is there sufficient consistency among courts and states to draw conclusions about changes in appellate caseload volume on a national level. Here, the overall growth in appeals is of crucial importance. Appellate caseloads soared over recent decades, doubling from the mid-1960s to the mid-1970s and then doubling again in the period up to 1984. The 4.2 percent growth in filings recorded by appellate courts in 1988 suggests a more modest rate of growth.[44] Is this characteristic of the mid-1980s?

SOURCES OF DATA. Filing and disposition statistics are drawn from information reported in the *State Court Caseload Statistics: Annual Report* series, 1984 to 1988. Most state appellate courts are included, although the states included in the trend analysis were limited to those that provided relevant data throughout the five-year span. Still, differences exist among states in what is included in certain case categories and care should be taken when making comparisons among states. Trends describe changes in: (1) mandatory filings and dispositions, and (2) discretionary filings, discretionary petitions granted, and dispositions of discretionary appellate cases.

TYPES OF ANALYSIS. During the 1984-88 period, mandatory appeals comprised 68.6 percent of all cases, the remaining 31.4 percent were discretionary petitions. Overall, mandatory appeals increased by 10.3 percent over the five years. Discretionary petitions increased by 13.1 percent.

Breaking these figures into separate growth rates for the two levels of appellate courts shows that the total number of mandatory appeals grew in the COLRs by 16.7 percent and by 9.1 percent in the IACs (see **Chart 6**). During this same time span, the number of discretionary appeals increased by 2.7 percent in the COLRs and by 30.6 percent in the IACs. The overall growth rates for the combined appellate courts therefore conceals important differences between COLRs and the IACs. The trend

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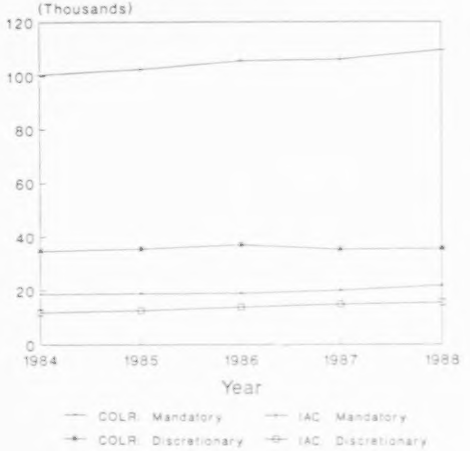
[44] Earlier examinations of appellate caseload growth include: Victor E. Flango and Nora F. Blair, "Creating an Intermediate Appellate Court: Does It Reduce the Caseload of a State's Highest Court?," *Judicature*, 64, August, 1980 and *The Growth of Appeals*, U.S. Department of Justice, Bureau of Justice Statistics Bulletin, February, 1985.

CHART 6: Mandatory and Discretionary Appellate Court Filings, 1984–88 Trends



Mandatory and Discretionary totals refer only to courts listed in Tables 13 and 14, respectively

analysis therefore treats COLR and the IAC caseloads separately.

The main source tables for the trend analysis are located in Part III. Table 13 (p. 154) lists the number of mandatory appeals filed and disposed annually between 1984 and 1988, while Table 14 (p. 164) provides similar information for discretionary petitions. Text tables draw from those sources to present filing levels and clearance rates, as well as supplementary information, such as the percentage of discretionary petitions granted by the courts. Change in filing rates is measured for adjacent years and for the five-year period as a whole. Clearance rates are calculated by dividing the number of cases disposed of by the court during the year by the number filed in that same year. A rate of 100 percent or greater means that the court reduced the size of its pending caseload during the year. A rate of less than 100 percent means that the court did not keep up with the volume of new cases being filed, and thus ended the year with a larger pending caseload than it had at the start.

MANDATORY FILINGS IN APPELLATE COURTS, 1984-88. A mandatory case refers to an "appeal of right" which the appellate court must hear and decide on the merits. The trend analysis includes information from 39 COLRs in 38 states and the District of Columbia and from 33 IACs in 31 states. The number of filings and the percentage change by year and for the five-year period for both COLRs and IACs are shown in **Text Table 12**.

Two broad trends in mandatory filings emerge. First, mandatory filing levels are not stable; most states show broad fluctuations. Second, despite the increases recorded in previous decades, courts are almost as likely to be experiencing a downward trend in mandatory filings as upward.

The first trend answers the question of patterns of change in appellate filings. Filing rates in most states fluctuate widely from year to year. Over the five-year period, the growth in mandatory filings in the COLRs ranges widely, from a decline of 55 percent in Pennsylvania, to an increase of 138 percent in the Illinois Supreme Court. If one examines the percentages, or even merely the direction, of the yearly percentage change columns for COLRs, it is apparent that roughly one-half of these courts experience a decline in filings between any two given years. Only the Washington and Utah[45] courts of last resort show a sustained decline in mandatory filings over the five-year period. In the other direction, five COLRs—in Hawaii, Illinois, Kansas, South Dakota, and Texas—had a continuous rise in mandatory filings over the last five years.

Nearly all of the IACs experienced one or more years in which filing rates declined. But in comparison to the abrupt changes COLRs recorded, IAC filing rates tend to be relatively constant over the five-year period. Still, the variation among IACs is considerable, extending from a decline of nearly 27 percent in Connecticut to an increase of 73 percent in Oklahoma. No IAC manifested a continual decline in mandatory filings over the five-year span. IACs in Alabama, Arizona, Colorado, Florida, Idaho, Ohio, and Pennsylvania experienced yearly increases in mandatory filings between 1984-88. A particularly telling example of the variability in IAC mandatory filings is found in the data from Oklahoma. This court showed the largest overall increase in mandatory filings despite declines recorded in two of the five years examined.

The structure of the appellate system seems to make little difference. Changes in filing rates for COLRs without an IAC or with multiple IACs are evenly distributed with those appellate courts having one COLR and one IAC.

States with large increases in mandatory COLR filings over the five years experienced a much smaller increase, or a decline, in IAC mandatory filings (i.e., California, Illinois, Kansas, New Mexico, Ohio, and South Carolina). Likewise, IACs recording large increases in mandatory filing rates tended to be in states in which the mandatory filing rates of the COLR decreased or increased slightly (i.e., Arizona, Colorado, Florida, Idaho, and Oklahoma). Filings at both court levels recorded a considerable increase only in one state—Hawaii.

The second trend suggests a major national shift in mandatory appellate court filing trends. For the past few decades, appellate caseloads were rising at a brisk pace indeed, doubling in each decade. One striking measure of the rapidity with which new cases were reaching appellate courts was the finding that mandatory appeals of final judgments rose between 1973 and 1982, ten times faster than the national population and three times faster than new appellate judgeships.[46]

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[45] Much of the decline in mandatory filings in the Utah COLR is attributable to an IAC being established in 1987.

TEXT TABLE 12: Trends in Total Mandatory Cases Filed, Percentage Change by Year** and Over Five-Year Period

(Sorted by Five-Year Percentage Change)

Court	Type of Appellate Jurisdiction	Courts of Last Resort						
		Mandatory Filings 1984	Percent Change 84-85	Percent Change 85-86	Percent Change 86-87	Percent Change 87-88	Mandatory Filings 1988	Percent Change Overall
Texas Supreme Court	4	0					3	
Pennsylvania Supreme Court	4	268	-47.0%	-35.2%	-13.0%	51.3%	121	-54.9%
Washington Supreme Court	1	228	-14.9	-16.5	-16.7	-13.3	117	-48.7
North Carolina Supreme Court	1	230	-3.5	12.2	-26.9	-19.2	147	-36.1
Massachusetts Supreme Judicial Court	1	141	-8.5	-33.3	-16.3	33.3	96	-31.9
Utah Supreme Court	1	640	-1.9	-0.8	-23.9	-6.5	443	-30.8
Colorado Supreme Court	1	256	-21.9	2.5	4.4	-7.9	197	-23.0
Michigan Supreme Court	1	5					4	-20.0
Arkansas Supreme Court	1	479	-8.4	-6.4	11.7	-12.9	400	-16.5
Louisiana Supreme Court*	1	147	-46.3	41.8	20.5	-8.9	124	-16.3
Florida Supreme Court	1	587	1.7	5.4	-7.6	-12.2	510	-13.1
District of Columbia Court of Appeals*	2	1810	-2.2	-12.1	-3.6	8.3	1624	-10.3
Oregon Supreme Court	1	205	-12.2	-19.4	21.4	9.1	192	-6.3
Georgia Supreme Court	1	663	4.4	-11.0	3.9	-0.2	639	-3.6
New Jersey Supreme Court	1	368	-38.3	4.0	47.9	2.3	357	-3.0
North Dakota Supreme Court	2	370	-8.6	11.5	1.3	-3.9	367	-0.8
Vermont Supreme Court*	2	623	-7.7	-4.3	-2.2	15.2	620	-0.5
Rhode Island Supreme Court	2	409	-1.5	-3.5	-17.0	26.9	410	0.2
Oklahoma Supreme Court	4	789	43.0	-30.1	40.2	-26.8	809	2.5
Arizona Supreme Court	1	105	-22.9	45.7	-1.7	-3.4	112	6.7
Wyoming Supreme Court	2	331	-7.6	11.8	-6.4	11.6	357	7.9
Idaho Supreme Court	1	349	-0.3	-17.2	0.3	32.2	382	9.5
Mississippi Supreme Court	2	838	-2.7	23.9	-11.8	3.1	919	9.7
Maryland Court of Appeals	1	220	-0.9	9.2	-2.1	3.9	242	10.0
Nebraska Supreme Court	2	1002	-0.5	1.7	17.9	-7.8	1103	10.1
Alabama Supreme Court	4	745	7.1	3.6	20.7	-16.9	829	11.3
Alaska Supreme Court	1	320	4.4	-4.8	15.7	-1.4	363	13.4
Kentucky Supreme Court	1	221	27.6	-11.0	4.0	-1.1	258	16.7
Nevada Supreme Court	2	799	-2.8	9.8	0.4	15.8	991	24.0
South Dakota Supreme Court	2	344	4.1	1.4	16.3	1.4	428	24.4
South Carolina Supreme Court	1	479	-5.8	15.1	-1.5	22.1	624	30.3
Delaware Supreme Court	2	331	22.7	2.7	-4.8	19.1	473	42.9
California Supreme Court	1	222	27.9	-16.9	33.5	1.3	319	43.7
Ohio Supreme Court	1	338	30.8	11.1	-14.1	18.5	500	47.9
Hawaii Supreme Court	1	471	5.3	21.8	2.0	16.1	715	51.8
New Mexico Supreme Court	1	635	2.7	14.1	44.9	-0.2	1076	69.4
Texas Court of Criminal Appeals	4	1959	2.0	11.2	10.3	46.0	3578	82.6
Kansas Supreme Court	1	169	4.7	6.8	13.2	62.1	347	105.3
Illinois Supreme Court	1	371	32.9	14.2	0.9	55.3	882	137.7

*The composition of cases included in the court's total mandatory filings varied during the five-year period. However, it was determined that the variation had only a slight impact on the reported trends. See the footnotes in Table 13 (Part III) for information on the changes that affected comparability. Courts were excluded when there was a change in case composition that significantly influenced the five-year trends.

**Percentage change by year only shown for courts where mandatory filings exceed 10.

The TYPE variable indicates the appellate court structure: 1=COLR with one IAC; 2=COLR without an IAC; 4=Mixed-COLR with multiple IACs or one of two COLRs

continued on next page

Such an expansion did not carry beyond the early 1980s. Overall, COLRs and the IACs experienced growth in mandatory filings since 1984, but rates of change varied substantially from state to state. Sixteen of 39 COLRs actually experienced a decline in their mandatory caseload between 1984 and 1988. Roughly one-quarter of the IACs experienced falling caseloads over the five-year span. Further, the 16.7 percent overall increase in COLR filings was primarily driven by large increases in one court—the Texas Court of Criminal Appeals. The influence of this one court is exceptional when one considers that the 3,578 filings in that court during 1988 represent 16.5 percent of the total mandatory appeals filed in COLRs. The five-year increase in COLR mandatory filings is reduced from 16.7 percent to 8.9 percent if

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[46] *The Growth of Appeals*, U.S. Department of Justice, Bureau of Justice Statistics Bulletin, February, 1985.

TEXT TABLE 12: Trends In Total Mandatory Cases Filed, Percentage Change by Year and Over Five-Year Period, *continued*

		Intermediate Appellate Courts						
Court	Type of Appellate Jurisdiction	Mandatory Filings 1984	Percent Change 84-85	Percent Change 85-86	Percent Change 86-87	Percent Change 87-88	Mandatory Filings 1988	Percent Change Overall
Connecticut Appellate Court*	3	1362	-31.4%	2.0%	-0.8%	5.3%	995	-26.9%
South Carolina Court of Appeals	3	404	-3.2	-10.2	25.4	-30.2	307	-24.0
Pennsylvania Commonwealth Court**	5	3920	-11.6	7.9	-18.9	4.4	3164	-19.3
Alaska Court of Appeals	3	467	-4.5	13.2	-7.1	-7.2	435	-6.9
Wisconsin Court of Appeals	3	2239	5.3	-12.9	6.4	-1.7	2147	-4.1
Oregon Court of Appeals	3	3828	4.0	4.1	3.8	-13.1	3739	-2.3
Kentucky Court of Appeals	3	2725	15.8	-12.3	-2.8	-1.0	2665	-2.2
Maryland Court of Special Appeals	3	1777	-7.6	0.1	4.3	2.3	1754	-1.3
Alabama Court of Civil Appeals	5	532	3.0	-3.3	10.2	-9.4	529	-0.6
Massachusetts Appeals Court	3	1375	-5.4	3.9	6.1	-2.8	1394	1.4
Louisiana Courts of Appeal*	3	3870	-7.5	3.3	4.1	3.1	3967	2.5
North Carolina Court of Appeals	3	1314	4.6	0.4	-8.4	6.8	1351	2.8
New Jersey Appellate Div. Superior	3	6224	-3.0	1.1	2.8	2.9	6458	3.8
Arkansas Court of Appeals	3	855	-1.1	12.4	-0.2	-5.3	899	5.1
Indiana Court of Appeals	3	1150	-9.8	3.5	7.1	6.4	1222	6.3
Ohio Court of Appeals	3	9383	1.5	1.7	3.1	0.2	10005	6.6
California Courts of Appeal	3	10118	1.3	-2.1	-0.5	9.7	10954	8.3
Washington Court of Appeals	3	2866	14.1	8.1	-8.4	-2.5	3157	10.2
Pennsylvania Superior Court	5	5793	1.5	1.9	2.5	4.9	6439	11.2
Georgia Court of Appeals	3	2070	-6.0	37.0	-22.3	11.3	2306	11.4
Texas Courts of Appeals	5	7386	7.7	-1.5	0.3	5.0	8250	11.7
Kansas Court of Appeals	3	1041	4.4	4.0	-0.4	4.3	1176	13.0
New Mexico Court of Appeals	3	572	15.7	1.4	-10.0	7.3	648	13.3
Illinois Appellate Court	3	7134	6.7	-0.8	5.4	2.1	8119	13.8
Missouri Court of Appeals	3	2852	11.0	-0.6	-2.9	8.5	3315	16.2
Hawaii Intermediate Court of Appeals	3	101	30.7	0.0	1.5	-10.4	120	18.8
Florida District Courts of Appeal	3	11770	4.2	10.1	2.7	2.4	14195	20.6
Colorado Court of Appeals	3	1580	2.9	14.5	3.7	0.8	1946	23.2
Alabama Court of Criminal Appeals	5	1400	8.6	1.1	10.3	5.3	1784	27.4
Iowa Court of Appeals	3	569	28.3	-24.4	12.0	17.8	728	27.9
Arizona Court of Appeals	3	2753	3.3	17.9	3.0	13.1	3902	41.7
Idaho Court of Appeals	3	146	2.1	16.8	4.0	25.4	227	55.5
Oklahoma Court of Appeals	5	788	-19.4	52.9	-4.1	46.3	1362	72.8

*The composition of cases included in the court's total mandatory filings varied during the five-year period. However, it was determined that the variation had only a slight impact on the reported trends. See the footnotes in Table 13 (Part III) for information on the changes that affected comparability. Courts were excluded when there was a change in case composition that significantly influenced the five-year trends.

**Figures for mandatory filings in 1984 and 1985 do not match those shown in Table 13 (Part III). Cases transferred from the Superior Court and Court of Common Pleas have been removed so as to be comparable to 1986-88 data.

The TYPE variable indicates the appellate court structure: 3=IAC; 5=Mixed-IAC with multiple COLRs or one of two IACs

Source: Table 13, Part III
National Center for State Courts, 1990

the Texas Court of Criminal Appeals is excluded from the total.

Comparing the rate of growth in mandatory filings to population and appellate judgeship change indicates that caseloads are still expanding, but not at an explosive pace. **Text Table 13** provides the overall change in population and appellate judgeships for the states included in the trend analysis. One interpretation is that an increase in mandatory filings equivalent to the rise in population or appellate judgeships does not indicate a growing propensity to litigate or that increasing strain is being placed on the appellate system.

Population in the states being considered increased by 4.7 percent, intermediate appellate court judgeships increased by 6.5 percent, and there was no change to supreme court judgeships over the five years. The primary implication is that the number of mandatory appeals per appellate court judgeship continues to increase, and thus cause concern, but at slower rates than earlier in the decade. Of course, appellate courts are still striving to contend with the massive inflow of appeals experienced in the 1970s and early 1980s that vastly expanded the number of appeals before state courts.

DISPOSITIONS OF MANDATORY FILINGS, 1984-88. Beyond charting the growth in mandatory filings, a principal concern is the response of the courts to the challenge of rising caseloads. The analysis therefore turns to changes in clearance rates.

Are the courts keeping up with caseload demands? The answer depends on the productivity of the courts as

TEXT TABLE 13: Changes In State Population, Mandatory Filings, and Appellate Judgeships, 1984-88

Factor	Increase
Population	4.7%
COLR Judgeships	0.0%
IAC Judgeships	6.5%
COLR Mandatory Filings	16.7%
IAC Mandatory Filings	9.1%

shown in the overall number of case dispositions, the number of cases disposed of relative to the number filed, and the number of cases disposed of per judge. To undertake this analysis, the courts included have been further restricted to those reporting statistics on both mandatory filings and dispositions over the five years. Twenty-four COLRs and 27 IACs are included. The change in case dispositions in those courts is shown in Table 13, Part III (pp. 154–62).

On average the number of COLR case dispositions rose 26.5 percent over the five-year period. But, there was considerable variability with roughly one-third of the COLRs recording a decline in the number of case dispositions. The downward trend in many COLRs is not unexpected, since nearly one-half of COLRs experienced declining rates of mandatory filings during the same period. Comparing filing and disposition numbers indicates that the decline in dispositions registered in the COLRs of New Jersey, North Carolina, and Washington paralleled declining mandatory filings. Similarly, large increases in mandatory filings in the COLRs in Hawaii, Illinois, Kansas, Ohio, and Texas accompanied large increases in dispositions over the five-year span.

Dispositions in IACs increased by 7.9 percent. The variability in dispositions was less pronounced in IACs than in COLRs, ranging from a decline of 16.8 percent in Kentucky to an increase of 80.6 percent in Connecticut. As with COLRs, declining numbers of dispositions mirror declining rates of mandatory filings (i.e., Alaska, Kentucky, Maryland, and South Carolina), while increasing rates of dispositions were associated with rising rates of mandatory filings (i.e., Arizona, Colorado, Iowa, and Oklahoma). The one anomaly appears to be Connecticut, where filings of mandatory filings decreased by 26.9 percent and the *largest* increase in dispositions (80.6 percent) was recorded.

The relationship between mandatory filings and dispositions in the appellate court system is most directly expressed by computing a clearance rate. **Text Table 14** provides information on mandatory appeals that were decided as a percentage of those filed for each of the last five years for both COLRs and IACs. The resulting clearance rates show considerable variation. Explanations for this variance may include such factors as large increases in filings due to transfers of jurisdiction to decide appeals, special efforts to clear backlog through the use of temporary judges, or the introduction of new procedures to expedite cases. Clearance rates are unrelated to state size, region of the country, or appellate court structure.

To summarize, appellate courts are keeping up with mandatory caseload demands. The overall five-year rate of change for the 24 COLRs reporting statistics on both filings and dispositions shows that filings increased by 20.3 percent while dispositions increased by 26.5 percent. Filings in IACs rose by 11.2 percent and dispositions increased by 7.9 percent over the same five years in question. These percentages would seem to indicate that courts are unwilling to respond to increasing caseloads by increasing delay and backlog. Rather, the upward trend in filings is being met by increasing the output of dispositions. In the period 1984 to 1988, the overall number of dispositions of mandatory cases per judge in the COLRs grew from 68.4 to 87.1. Over the same period, the average number of dispositions per judge in the IACs rose from 172.6 to 176.1.

TRENDS IN DISCRETIONARY FILINGS AND DISPOSITIONS, 1984-88. Trends in filings and dispositions of discretionary petitions are the next topic. Once again, the central questions are: (1) What are the patterns of change exhibited by individual states and courts?, and (2) Does sufficient consistency exist among states and courts to draw conclusions on a national level? The relevant data can be found in Table 14, Part III (pp. 164–70).

On average, the discretionary component of the appellate court system caseload constitutes just over 30 percent of the total caseload. This figure is misleading as an indicator of the allocation of the appellate workload. The vast majority of IAC filings are mandatory cases (approximately 84 percent). By contrast, less than 35 percent of all filings in COLRs are mandatory appeals. During the period 1984-88, roughly 66 percent of all discretionary petitions were filed in COLRs.

The courts included in this section of the analysis are restricted to those providing information on discretionary appeals filed over the full five years. Statistics on discretionary appeals are available from 36 COLRs in 34 states and the District of Columbia. Data are also available from 12 IACs in 12 states. **Text Table 15** displays the number and percentage rates of change for discretionary filings.

Turning first to the COLRs, it is apparent that patterns of change are not readily identifiable. When the rate of change between any two adjacent years is examined, one-half of the courts had a decline in discretionary filings. However, the direction of change for a particular court rarely holds constant for consecutive years. New Hampshire is the only court to show a decrease in discretionary petitions in each of the five years. On the other hand, only Missouri and Wisconsin, show a consistent increase in discretionary filings over the period. The remaining courts have varying patterns of increases and decreases over the five-year span.

Variability is also apparent in the intermediate appellate courts. From 1984 to 1986, the 12 IACs show a dominant upward trend in discretionary filings. This is

TEXT TABLE 14: Clearance Rates for Mandatory Appeals, 1984-88

		Courts of Last Resort				
Court	**Type of Appellate Jurisdiction**	**Clearance Rate 1984**	**Clearance Rate 1985**	**Clearance Rate 1986**	**Clearance Rate 1987**	**Clearance Rate 1988**
Alaska Supreme Court	1	108.4%	85.9%	111.6%	79.1%	108.5%
Arizona Supreme Court	1	105.7	107.4	59.3	74.1	70.5
Arkansas Supreme Court	1	93.5	102.7	98.3	90.6	114.3
Delaware Supreme Court	2	106.9	91.9	99.5	105.5	86.0
District of Columbia Court of Appeals	2	83.4	88.6	100.8	106.3	98.6
Florida Supreme Court	1	90.3	107.0	102.4	94.3	104.7
Hawaii Supreme Court	1	96.4	104.0	114.4	94.0	85.2
Idaho Supreme Court	1	100.9	95.7	124.7	102.1	86.9
Illinois Supreme Court	1	83.3	100.6	94.1	97.9	103.3
Kansas Supreme Court	1	203.0	194.4	175.1	155.6	132.3
Kentucky Supreme Court	1	126.7	91.8	100.8	103.8	117.1
Maryland Court of Appeals	1	104.5	106.4	79.0	95.3	75.6
Mississippi Supreme Court	2	76.0	104.7	90.3	93.3	86.3
Nevada Supreme Court	2	98.6	111.6	100.1	118.3	93.0
New Jersey Supreme Court	1	110.9	110.6	100.4	109.2	97.8
North Carolina Supreme Court	1	95.2	82.4	98.4	105.5	144.9
North Dakota Supreme Court	2	89.5	99.1	94.7	93.5	110.4
Ohio Supreme Court	1	94.7	86.7	84.3	90.0	92.4
Rhode Island Supreme Court	2	109.3	97.5	122.9	124.5	98.3
Texas Court of Criminal Appeals	4	114.2	104.3	91.3	99.9	99.1
Texas Supreme Court	4		100.0	100.0	100.0	100.0
Vermont Supreme Court	2	85.4	88.0	97.3	98.0	95.6
Washington Supreme Court	1	77.2	94.8	129.0	109.6	129.1
Wyoming Supreme Court	2	75.5	113.4	95.6	94.4	93.6

The TYPE variable indicates the appellate court structure: 1=COLR with one IAC; 2=COLR without an IAC; 4=Mixed-COLR with multiple IACs or one of two COLRs

		Intermediate Appellate Courts				
Court	**Type of Appellate Jurisdiction**	**Clearance Rate 1984**	**Clearance Rate 1985**	**Clearance Rate 1986**	**Clearance Rate 1987**	**Clearance Rate 1988**
Alabama Court of Civil Appeals	5	100.8%	94.2%	103.4%	88.7%	108.9%
Alabama Court of Criminal Appeals	5	105.7	93.7	113.5	107.3	99.4
Alaska Court of Appeals	3	96.1	91.0	116.6	91.5	92.6
Arizona Court of Appeals	3	94.4	103.9	102.8	97.7	83.0
Arkansas Court of Appeals	3	96.7	105.8	88.3	103.6	92.0
Colorado Court of Appeals	3	89.3	85.9	85.4	83.0	104.2
Connecticut Appellate Court	3	41.7	93.9	110.7	94.5	103.1
Florida District Courts of Appeal	3	101.5	102.3	95.1	98.1	95.5
Hawaii Intermediate Court of Appeals	3	123.8	79.5	100.0	106.0	107.5
Idaho Court of Appeals	3	119.9	189.3	100.0	96.1	71.4
Illinois Appellate Court	3	96.6	91.5	92.8	93.7	94.2
Indiana Court of Appeals	3	98.9	102.4	104.0	98.3	93.0
Iowa Court of Appeals	3	93.5	87.3	106.7	93.5	91.9
Kansas Court of Appeals	3	100.4	91.0	97.8	101.4	99.8
Kentucky Court of Appeals	3	98.9	87.4	96.1	85.6	84.2
Maryland Court of Special Appeals	3	105.6	110.0	94.4	103.7	100.5
Missouri Court of Appeals	3	110.8	100.3	101.9	106.7	94.9
New Jersey Appellate Div. Superior	3	100.6	100.3	108.3	102.0	100.6
North Carolina Court of Appeals	3	107.5	106.5	117.7	103.6	94.2
Ohio Court of Appeals	3	97.2	99.7	96.0	94.1	96.6
Oklahoma Court of Appeals	5	101.6	109.1	88.2	78.2	89.2
Oregon Court of Appeals	3	98.2	95.1	96.8	98.3	106.6
Pennsylvania Superior Court	5	102.0	142.1	123.7	101.9	99.6
South Carolina Court of Appeals	3	109.2	101.8	106.6	83.6	119.5
Texas Courts of Appeals	5	112.0	100.3	104.2	99.6	96.8
Washington Court of Appeals	3	95.0	91.6	91.6	119.5	104.2
Wisconsin Court of Appeals	3	99.3	106.1	106.1	101.0	110.3

The TYPE variable indicates the appellate court structure: 3=IAC; 5=Mixed-IAC with multiple COLRs or one of two IACs

Source: Table 13, Part III
National Center for State Courts, 1990

TEXT TABLE 15: Trends in Discretionary Petitions Filed, Percentage Change by Year** and Over Five-Year Period

(Sorted by Five-Year Percentage Change)

			Courts of Last Resort					
Court	Type of Appellate Jurisdiction	Disc. Filings 1984	Percent Change 84-85	Percent Change 85-86	Percent Change 86-87	Percent Change 87-88	Disc. Filings 1988	Percent Change Overall
Mississippi Supreme Court	2	2				0		
Massachusetts Supreme Judicial Court	1	1246	7.2%	10.3%	-77.2%	67.6%	563	-54.8%
Kentucky Supreme Court*	1	986	-17.5	4.2%	-18.2	-1.0	686	-30.4
District of Columbia Court	2	85	-4.7	-6.2	26.3	-36.5	61	-28.2
Virginia Supreme Court	1	1915	-45.5	14.4	20.8	-0.1	1439	-24.9
Oklahoma Supreme Court	4	388	-24.0	15.3	-13.8	0.7	295	-24.0
Delaware Supreme Court*	2	5					4	-20.0
New Hampshire Supreme Court*	2	603	-4.8	-7.0	-3.4	-2.3	504	-16.4
Utah Supreme Court	1	72	-41.7	21.4	-41.2	103.3	61	-15.3
Maryland Court of Appeals	1	761	-6.3	-14.9	7.9	4.1	682	-10.4
Illinois Supreme Court	1	1675	-5.7	3.7	2.2	-6.9	1558	-7.0
Rhode Island Supreme Court	2	202	42.6	-41.7	30.4	-13.7	189	-6.4
Oregon Supreme Court	1	870	3.8	9.6	9.7	-21.1	857	-1.5
Arizona Supreme Court	1	1016	14.3	-.4	-13.9	2.3	1018	0.2
Colorado Supreme Court	1	813	-5.7	2.1	-3.4	9.1	825	1.5
Ohio Supreme Court	1	1704	-3.5	5.4	6.5	-4.1	1770	3.9
Georgia Supreme Court	1	941	3.6	.5	2.7	-0.8	998	6.1
Alabama Supreme Court	4	712	-14.9	25.9	-6.6	7.3	765	7.4
Washington Supreme Court	1	881	2.8	-1.0	28.3	-17.2	953	8.2
California Supreme Court	1	3991	8.9	10.6	-5.2	-4.5	4351	9.0
Texas Supreme Court	4	1130	3.5	5.0	-4.2	5.7	1243	10.0
Alaska Supreme Court	1	221	-12.2	61.3	-30.0	11.4	244	10.4
Texas Court of Criminal Appeal	4	1281	6.2	0.0	-1.5	5.8	1416	10.5
Michigan Supreme Court	1	2347	-11.8	-1.3	2.0	27.9	2662	13.4
North Carolina Supreme Court	1	541	14.6	18.5	-8.0	-5.9	636	17.6
New Jersey Supreme Court	1	1142	-7.8	31.2	0.0	-2.0	1354	18.6
Florida Supreme Court	1	1056	11.3	-6.6	15.8	3.6	1316	24.6
Missouri Supreme Court	1	846	16.0	.8	4.4	2.2	1056	24.8
Louisiana Supreme Court*	1	2126	8.8	6.1	8.9	-0.6	2657	24.9
West Virginia Supreme Court of Appeals	2	1282	7.0	15.5	28.5	-20.4	1621	26.4
Idaho Supreme Court	1	60	53.3	-16.3	6.5	-7.3	76	26.7
Wisconsin Supreme Court	1	718	6.0	9.9	3.9	5.3	915	27.4
Vermont Supreme Court	2	25	-24.0	26.3	29.2	3.2	32	28.0
South Dakota Supreme Court	2	27	-37.0	88.2	-15.6	29.6	35	29.6
Hawaii Supreme Court	1	32	28.1	4.9	32.6	-21.1	45	40.6
New Mexico Supreme Court	1	174	-10.9	30.3	49.0	-16.3	252	44.8

*The composition of cases included in the court's total mandatory filings varied during the five-year period. However, it was determined that the variation had only a slight impact on the reported trends. See the footnotes in Table 14 (Part III) for information on the changes that affected comparability. Courts were excluded when there was a change in case composition that significantly influenced the five-year trends.

**Percentage change by year only shown for courts where discretionary filings exceed 10.

The TYPE variable indicates the appellate court structure: 1=COLR with one IAC; 2=COLR without an IAC; 4=Mixed-COLR with multiple IACs or one of two COLRs

			Intermediate Appellate Courts					
Court	Type of Appellate Jurisdiction	Disc. Filings 1984	Percent Change 84-85	Percent Change 85-86	Percent Change 86-87	Percent Change 87-88	Disc. Filings 1988	Percent Change Overall
Maryland Court of Special Appeals	3	308	-37.7%	25.0%	22.5%	-25.2%	220	-28.6%
Wisconsin Court of Appeals	3	245	-6.9	5.7	-8.3	3.2	228	-6.9
North Carolina Court of Appeals	3	471	2.8	12.8	-11.5	-7.7	446	-5.3
Alaska Court of Appeals	3	63	1.6	29.7	-34.9	14.8	62	-1.6
New Mexico Court of Appeals	3	57	19.3	-23.5	9.6	12.3	64	12.3
Georgia Court of Appeals	3	623	2.9	0.9	13.3	-2.2	717	15.1
Florida District Courts of Appeal	3	1970	0.3	16.2	-0.5	0.1	2285	16.0
Kentucky Court of Appeals	3	79	21.5	-2.1	-4.3	2.2	92	16.5
California Courts of Appeal	3	5838	1.7	5.0	8.0	4.1	7005	20.0
Arizona Court of Appeals	3	50	-20.0	22.5	4.1	17.6	60	20.0
Washington Court of Appeals	3	263	21.7	15.9	-6.7	7.5	372	41.4
Louisiana Courts of Appeal	3	1842	37.8	18.8	17.4	9.5	3877	110.5

The TYPE variable indicates the appellate court structure: 3=IAC; 5=Mixed-IAC with multiple COLRs or one of two IACs

Source: Table 14, Part III
National Center for State Courts, 1990

TEXT TABLE 16: Discretionary Petitions Filed and the Percentage Granted

	Courts of Last Resort										
Court	Type of Appellate Jurisdiction	Disc. Filings 1984	Percent Granted 1984	Disc. Filings 1985	Percent Granted 1985	Disc. Filings 1986	Percent Granted 1986	Disc. Filings 1987	Percent Granted 1987	Disc. Filings 1988	Percent Granted 1988
California Supreme Court	1	3991	8.0%	4346	7.3%	808	5.8%	4558	4.9%	4351	5.1%
Georgia Supreme Court	1	941	16.8	975	15.0	980	13.0	1006	11.8	998	14.6
Hawaii Supreme Court	1	32	15.6	41	26.8	43	16.3	57	17.5	45	22.2
Illinois Supreme Court	1	1675	12.2	1579	10.4	1637	9.5	1673	9.1	1558	13.5
Louisiana Supreme Court	1	2126	16.9	2313	20.3	2455	17.4	2673	20.7	2657	14.9
Maryland Court of Appeals	1	761	17.9	713	12.6	607	17.1	655	15.9	682	20.5
Massachusetts Supreme Judicial Court	1	1246	14.8	1336	15.7	1473	13.9	336	61.9	563	34.8
Michigan Supreme Court	1	2347	4.0	2069	6.0	2042	6.1	2082	2.9	2662	3.0
Missouri Supreme Court	1	846	12.5	981	10.8	989	6.7	1033	7.6	1056	10.8
New Mexico Supreme Court	1	174	35.1	155	42.6	202	33.2	301	15.0	252	15.9
North Carolina Supreme Court	1	541	12.6	620	10.8	735	7.8	676	8.9	636	9.0
Ohio Supreme Court	1	1704	8.6	1644	10.5	1733	11.7	1846	10.5	1770	11.5
Oregon Supreme Court	1	870	12.1	903	10.3	990	14.1	1086	12.6	857	14.1
Virginia Supreme Court	1	1915	16.1	1043	22.9	1193	16.0	1441	10.8	1439	13.3
Wisconsin Supreme Court	1	718	12.3	761	12.9	836	12.3	869	23.7	915	19.8
West Virginia Supreme Court of Appeals	2	1282	42.4	1372	35.2	1585	36.6	2037	38.5	1621	48.7
Oklahoma Supreme Court	4	388	21.6	295	22.0	340	22.6	293	19.1	295	21.7
Pennsylvania Supreme Court	4	2761	6.9	4067	5.5	3709	6.8	1936	12.2	2207	10.4
Texas Court of Criminal Appeals	4	1281	23.4	1360	19.1	1360	15.4	1339	27.4	1416	21.7
Texas Supreme Court	4	1130	9.3	1169	14.7	1228	11.6	1176	15.1	1243	14.1

The TYPE variable indicates the appellate court structure: 1=COLR with one IAC; 2=COLR without an IAC; 4=Mixed-COLR with multiple IACs or one of two COLRs

Source: Table 5, *State Court Caseload Statistics: Annual Reports*, 1984 - 1988 Editions
National Center for State Courts, 1990

partially reversed in 1987, when 6 of the 12 courts record a decline and several others only a small increase. The trend is once again upward in 1988. Despite the prevalence of rising caseloads, only the California and Louisiana IACs have consistent increases over the five-year period. Moreover, those two courts account for the vast majority of IAC discretionary cases. No IAC out of the 12 examined recorded a consistent downward trend in discretionary filings.

With regard to the question of national trends, the information on discretionary filings is inconclusive. Total discretionary filings in COLRs increased by 7.2 percent from 1984 to 1986, fell 5.1 percent in 1987, and grew by less than 1 percent during 1988, for a cumulative five-year increase of 2.7 percent. Nearly 40 percent of the COLRs experienced a decline and 60 percent an increase in discretionary filings over the five years.

The association between filing trends and jurisdiction for discretionary petitions is no stronger than was evident for mandatory filings. West Virginia and New Hampshire, the two states with completely discretionary jurisdiction, are distinct. While West Virginia shows an overall rise of 26.4 percent in discretionary filings (placing it in the upper quartile), New Hampshire is the only state with a consistent decline in filings over the five-year period (placing it in the lower quartile). In addition, there does not appear to be a clear relationship between discretionary filings and state appellate structure.

DISPOSITIONS OF DISCRETIONARY PETITIONS, 1984-88. The number of petitions filed provides a measure of the volume of business brought to the appellate courts. The number of petitions granted and the total disposed represent the outputs of a court during a specific period of time. Trends for COLRs in those two measures complete the discussion of discretionary petitions. Few IACs provide complete statistics on the number of discretionary petitions granted and the total number of discretionary petitions disposed of over the past five years. Any generalizations based on so few courts would be problematic at best.

Discretionary Jurisdiction Cases Granted Review. Filing a discretionary petition does not ensure appellate review. The court decides whether to exercise its discretionary power to consider the case on its merits. **Text Table 16** reports the total number of discretionary petitions filed and the number and percentage granted review for the 20 COLRs providing complete data.

Viewing the information by state, the primary consistency is that the percentage of discretionary petitions granted remains relatively constant. There is, of course, some variability by year, sometimes extreme, but the overall pattern is one of consistency. The COLRs that granted review of a small percentage of discretionary cases in 1988 (5 percent or less) tended to grant a small percentage throughout the five-year period (e.g., California and Michigan). Most states remain within a range of about 10 to 25 percent. West Virginia, whose COLR has no mandatory jurisdiction, and which has no IAC, consistently grants the highest percentage of discretionary petitions: nearly 50 percent in 1988. In Massachusetts and New Mexico, the number of petitions granted has remained relatively constant but the percentage has

TEXT TABLE 17: Appellate Court Clearance Rates for Discretionary Appeals, 1984-88

		Courts of Last Resort				
Court	Type of Appellate Jurisdiction	Clearance Rate 1984	Clearance Rate 1985	Clearance Rate 1986	Clearance Rate 1987	Clearance Rate 1988
Alaska Supreme Court	1	99.5%	101.5%	92.7%	105.5%	104.5%
Arizona Supreme Court	1	103.1	92.9	100.0	105.9	88.9
Florida Supreme Court	1	100.4	95.6	114.9	96.3	108.4
Hawaii Supreme Court	1	109.4	95.1	104.7	101.8	93.3
Idaho Supreme Court	1	91.7	107.6	92.2	92.7	110.5
Illinois Supreme Court	1	102.4	106.0	99.1	97.6	95.1
Kentucky Supreme Court	1	80.4	128.4	106.0	101.9	98.8
Maryland Court of Appeals	1	103.2	95.1	115.3	85.8	113.8
Missouri Supreme Court	1	96.0	99.9	96.4	96.5	100.8
New Jersey Supreme Court	1	94.1	97.3	99.7	102.1	103.2
North Carolina Supreme Court	1	86.0	107.3	101.8	94.2	114.3
Ohio Supreme Court	1	75.9	86.9	88.4	86.6	91.6
Virginia Supreme Court	1	100.2	126.7	91.8	81.1	115.0
Washington Supreme Court	1	102.7	100.1	87.6	95.0	111.5
Wisconsin Supreme Court	1	100.4	91.9	91.5	83.4	94.6
Delaware Supreme Court	2	100.0	66.7	100.0	100.0	75.0
Mississippi Supreme Court	2	100.0	100.0	100.0	100.0	100.0
New Hampshire Supreme Court	2	91.2	104.9	77.7	87.4	107.7
Rhode Island Supreme Court	2	107.9	76.0	118.5	110.0	94.2
Vermont Supreme Court	2	104.0	105.3	87.5	83.9	100.0
West Virginia Supreme Court of Appeals	2	87.7	92.4	88.1	93.7	109.5
Texas Court of Criminal Appeal	4	84.4	76.9	80.9	124.9	101.5
Texas Supreme Court	4	91.5	101.5	95.0	107.2	94.0

The TYPE variable indicates the appellate court structure: 1=COLR with one IAC; 2=COLR without an IAC; 4=Mixed-COLR with multiple IACs or one of two COLRs

Source: Table 14, Part III
National Center for State Courts, 1990

fluctuated widely due to broad changes in the number of discretionary petitions being filed.

Over the five years, the number of discretionary petitions filed rose by 2.7 percent in the 20 COLRs, while the number granted has increased by 14.8 percent. The result is an increase in the percentage granted from 13 to 15 percent for those courts.

Discretionary Petitions Disposed. Trends in discretionary petition dispositions indicate the extent to which appellate courts are keeping up with their discretionary caseloads. This issue will be addressed by examining the productivity of the courts in terms of the overall number of discretionary petitions disposed of and the number of discretionary petitions disposed of relative to the number filed. The growth and percentage change in discretionary decision output for the 24 COLRs providing information on both discretionary filings and dispositions is shown in Table 14, Part III (p. 164).

As with mandatory case dispositions, there is considerable variability among the courts. No court experienced a continual decline during the five-year period, but nearly one-half of the courts recorded a decline in the number of discretionary petitions between any pair of adjacent years. In addition, for the majority of courts, there appears to be no consistent pattern to the direction of change between years. Only Ohio shows a consistent increase in discretionary dispositions throughout the five-year span. For courts that disposed of more than five cases per year, six of the eight that had declining disposition rates also had declining discretionary filing rates over the five-year period.

The relationship between filings and dispositions is more directly seen by examining clearance rates. **Text Table 17** displays the five-year trend in clearance rates for 23 COLRs. The most noticeable feature is again the wide variability in clearance rates. The extent of the range and the sharp fluctuations from year to year suggest that clearance rates vary in response to short-term factors that affect the work of the appellate courts.

Appellate caseload trends, such as those just examined, are often shaped by changes to jurisdiction. An abrupt rise or decline in the filings of a court in a two-tier appellate system may reflect the transfer of jurisdiction between the COLR and IAC. A common transfer in recent years shifts the jurisdiction to hear appeals involving a sentence of life imprisonment from the COLR to the IAC. In other states, however, the shift has been in the reverse direction, with all mandatory appeals of convictions for offenses such as first degree homicide falling within the jurisdiction of the COLR. More generally, sentencing reform can change the role of a state's appellate courts in the review of sentences.

Changes to state constitutions and statutes governing civil law can have a similar impact. For example, in

Pennsylvania mandatory jurisdiction over appeals of decisions by certain administrative agencies shifted in 1983 from the COLR to the commonwealth court, one of the state's two IACs. The COLR's review became discretionary.[47] Court rules or policies can also change in ways that redistributes appellate jurisdiction, particularly in those states in which the COLR assigns cases to the IAC.

New legislation can also generate a large number of appeals in the short term. Tort reform or sentencing reform legislation, for example, can initially lead to a large number of appeals, but as the COLR develops the law the number of resulting appeals will dwindle. The Texas Court of Criminal Appeals during 1988 experienced a substantial increase in the number of writs filed. Much of the increase can be traced to the Texas Prison Management Act, which deals with the accumulation of "good time" credits in the state prison system.[48] Cases raising issues relating to that act were consolidated and the issue decided during the year.

APPELLATE CASELOAD TRENDS, 1984-88: A SUMMARY. The trend tables highlight consistency and variation among state appellate courts. Rates of change of mandatory and discretionary filings and dispositions vary significantly among states reporting complete and comparable data between 1984 and 1988, both for courts of last resort and intermediate appellate courts.

While the data presented here are not conclusive evidence, they suggest that the rate of increase in appellate court filings over the past five years is substantially slower than that experienced from the mid-1960s to the mid-1980s. In addition, this overall moderate growth in filings has been accompanied by a concomitant growth in dispositions, indicating that the state appellate courts as a whole are successful in keeping pace with the growth in filings. This ability may reflect the substantial innovation over the 1970s and early 1980s in appellate court structure and procedure. However, it must be stressed that it is very difficult to draw national generalizations because of continuing state-by-state and year-to-year variations in the data. The rates of filings and dispositions are increasing in some states, decreasing in others, and remaining essentially unchanged in still other jurisdictions. Therefore, it is not surprising that there remains a considerable breadth of opinion as to the existence of any national trends in appellate caseloads.

Conclusion

This commentary has three main objectives. The first is to describe the work of state court systems, identifying similarities and differences. The second is to relate the similarities and differences to the manner in which states organize their court systems and to other state characteristics. The third is to assess changes over time in state court caseloads.

Similarities among appellate court systems include the filing rates for both mandatory appeals and discretionary petitions, which clustered around the median, creating a broad middle range of states. Most appellate courts reported success in keeping pace with flow of new case filings and reduced the size of their pending caseloads.

Differences in appellate court systems include the extent to which filings are mandatory appeals or discretionary petitions and the percentage of discretionary petitions that are granted. Two-tier appellate systems differ in the degree to which they conform to the pattern in which the COLR has discretionary control of its docket and the IAC hears mandatory appeals.

Among trial court systems, there was broad similarity in the rate of civil case filings per 100,000 population. Rates of criminal case filings were more varied, but a middle range could be identified. For civil, criminal, and juvenile cases, states shared problems of increasing pending caseloads. Fewer cases were disposed of than were filed. The resulting problems are more acute in most states for criminal and juvenile cases than for civil cases.

State trial court systems differed in the rate at which juvenile petitions were filed during 1988. Compared to civil and criminal cases, the variation in juvenile filings was substantial. Trial court systems also differ in the use made of general and limited jurisdiction courts to hear cases.

Many of the similarities and differences reflect the manner in which states allocate the jurisdiction to hear and decide various types of cases to their appellate and trial courts. Differences in court structure, however, are not strongly related to either filing or clearances rates. Trial courts in a one-tier system, for example, are not more or less likely than courts in a two-tier system to keep pace with their incoming caseloads.

Court filings and court clearance rates do not form clear regional patterns. There is also no clear evidence linking court caseloads to the state population size or to other state characteristics. It is possible, of course, that subtle patterns exist but would only emerge through more systematic comparisons than were possible in this commentary. Also, the similarities and differences discussed are based both on real variation in filing rates and variation due to how cases are categorized and counted.

The analysis of trends, which allows each state to serve as its own point of comparison, produced more patterns. National appellate filings and national trial court filings both increased during 1988. At the appellate level, the trends in mandatory filings and discretionary petitions show a great deal of state-by-state and year-to-year variation. This lack of consistent change makes it difficult to draw firm conclusions as to the existence of national trends. The data appear to suggest, however, that appellate filings have assumed a more modest growth rate in the latter half of the 1980s relative to the experience of the 1970s and early 1980s. In addition, the growth in dispositions appears to be keeping pace with the growth in filings.

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[47] The relevant statute is 42 Pa. Cons. Stat. secs. 723(a), 763, as interpreted by the state supreme court in *O'Brien v. State Employee's Retirement System*, 503 Pa. 399, 469 A.2d 1008, *cert. denied*, 469 U.S. 816 (1983).

[48] Texas Prison Management Act, Art. 6184o.

Within the trial courts, a strong upward trend in felony filing rates can be identified for the 1984-88 period. The result was a substantial increase in the number of serious offenses moving through the state courts.

On the civil side, the 1984-88 period was marked by substantial fluctuation in the rate of tort filings. Tort reform legislation appears to underlie some of the abrupt fluctuations in tort filing rates, particularly in 1985 and 1986. Overall, the evidence presented here indicates that tort filings do not appear to be increasing at rates in excess of other important components of civil caseload such as contract or real property rights cases.

Part II

Method of Case Disposition in State Trial Courts

Method of Case Disposition in State Trial Courts

What happens to trial court cases once they are filed? We know from research studies that most civil and criminal cases end because they have been withdrawn or settled by the parties, dismissed by the court, or not prosecuted. Few cases reach a trial. However, what we know about patterns in case dispositions is far from definitive. Research typically describes dispositions in one trial court or in a small group of trial courts over a limited period of time. National statistics are needed to strengthen what we know about disposition methods in state trial courts.

National statistics contribute both greater precision and meaningful context. Currently, we can only approximate the proportion of cases that are disposed of by each method. A rigorous framework for classifying dispositions would permit clear statements on the relative frequency of jury trials, bench trials, pretrial dismissals, and other disposition methods. National statistics put single jurisdiction research into context. Does the proportion of cases disposed of by various methods vary among the states? Within a state, do the proportions change over time?

The precision and context offered by national statistics are important. A jury trial rate of 3 percent imposes substantially different demands on trial court resources than a rate of 6 or 9 percent. Trial courts in which one-third of all civil cases are dismissed before trial are likely to process cases quite differently than systems with dismissal rates of 60 percent or more. If we can explain such differences, we have the potential to understand the processes that determine need for court resources. We can also relate disposition rates to court backlogs, the impact of alternative dispute resolution programs, and case management systems.

There are, however, significant obstacles to achieving comprehensive national statistics on case disposition methods. First, many states do not routinely collect such information. Second, the categories states use to collect method of disposition information are often not comparable. Even the definition of what constitutes a jury trial varies: some states count only cases that reach a verdict, while others count any case in which a witness is sworn as a disposition at trial regardless of whether a dismissal or settlement ensues. Third, method of disposition statistics usually refer to a broad mix of either civil or criminal cases. The coverage is so wide that the usefulness of the information is blunted by the diversity of cases that are being described.

This part reports on efforts to devise a framework for collecting and displaying information on 1988 case dispositions. The framework serves three objectives. First, it catalogues factors that inhibit the use of the information now available. Second, similarities and differences among states are described in the use of dismissals, guilty pleas, jury trials, and bench trials to dispose of criminal and civil cases. Third, suggestions are offered for improving the statistics that state court administrative offices and individual trial courts maintain on method of disposition. While Part II provides the best available information on dispositions, prudence requires that as much attention be given to the methodological limitations of the information as to their descriptive content.

The main products of this effort are carefully footnoted compilations of method of disposition statistics. Two tables at the end of Part II summarize the data provided to the Court Statistics Project for 1988. Table 1 reports on method of disposition in criminal cases. Table 2 reports on method of disposition in civil cases.[1]

Data Completeness and Comparability

How much information on case disposition method is currently available and to what extent is it comparable across states? Tables 1 and 2 provide the basis for the answers offered in this section. For each statewide trial court system included, the tables indicate the total number of cases disposed of through basic disposition categories during 1988, as well as the total number of case dispositions. Supporting material in each table designates the underlying definitions of trials and methods for counting cases and trials used in the state, as well as the casetypes for which data can be obtained. The tables were generated from statistics published in state court annual reports or unpublished tabulations made available by state court administrative offices. This section provides a guide to issues that affect the completeness and the comparability of the data in the tables. This is an

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[1] The summary tables permit direct comparisons between states only after careful consideration of various of factors. Part II discusses those factors that are specific to method of disposition statistics, such as whether the trial count consists of cases that reach trial regardless of outcome or only cases that reach a verdict at trial. Differences in subject matter jurisdiction, court structure, and units for counting cases, as discussed in Part I, also have a bearing on the use of method of disposition statistics.

TEXT TABLE 1: Trial Definition in Criminal and Civil Cases

	Definition	Number of states which use definition for Criminal	Civil
A)	A jury trial is counted at jury selection, empaneling, or when jury is sworn. A non-jury trial is counted when evidence is first introduced or first witness is sworn.	22	23
B)	A jury trial is counted at introduction of evidence or swearing of first witness. A nonjury trial is counted when evidence is first introduced or swearing of first witness.	2	0
C)	A jury trial is counted at verdict or decision. A nonjury trial is counted at the decision.	12	13

essential step. Across states, the measurement of disposition methods encounters many of the problems that existed 15 years ago for case filing and disposition caseload statistics.

Completeness

Thirty-six statewide general jurisdiction court systems provide criminal disposition data; 36 states provide civil disposition data.[2] Yet, Tables 1 and 2 reveal serious gaps in the available data. Even for the 36 states reporting method of disposition data, the available information offers an incomplete picture of disposition outcomes. For criminal cases, three states report the total number of trials without distinguishing between jury or bench trial. Only nine states record whether trials resulted in acquittal or conviction during 1988.

Comprehensive, complete disposition data are available only for a handful of states. This is often attributable to a lack of specificity in the reporting categories used to collect and collate disposition method statistics. Several distinct disposition methods may be subsumed under one heading. For example, civil cases terminated through a default judgment may be merged with dismissals as part of the "other" method of disposition category; criminal cases concluded through guilty pleas may be combined with dismissals in criminal cases when nontrial disposition methods are not disaggregated. Lack of specificity in reporting categories is the main obstacle to a more comprehensive view of method of case disposition.

Comparability

Practices and procedures for collecting civil and criminal case disposition data vary widely among the states. This complicates the inevitable difficulties of combining information describing 52 different jurisdictions (the 50 states, the District of Columbia, and Puerto Rico) with distinctive laws and court structures.

There are, however, some key definitional and measurement characteristics that groups of states share. Comparability is possible where states count trials similarly, use similar methods for counting what is a case, and report information for a similar range of casetypes.[3]

In current practice, the point at which a state counts a jury trial varies widely. Some court systems count trials when the first juror is examined; some when the first evidence is introduced; some when a verdict is reached; and some at other intervening points. **Text Table 1** shows the relative use of alternative trial definitions for the courts displayed in Tables 1 and 2. Two-thirds of the states share a trial definition in which a jury trial is counted when the jury is selected, empaneled, or sworn, and a bench trial is counted when the first evidence is introduced or first witness sworn.

The impact on state trial rates from definitional differences is highlighted by a recent study of the lengths of civil and criminal trials in three general jurisdiction courts located in each of three states: California, Colorado, and New Jersey.[4] **Text Table 2** summarizes the percentage of criminal and civil trials tried to a jury verdict or a bench judgment after trial commenced. A substantial percentage of cases that begin the trial process "wash out" before a verdict is reached. For example, fully one-quarter of both civil and criminal jury trials in the California sites are not tried to verdict. This implies that the jury trial rate in California, which counts a case as disposed at trial once the jury selection process begins, is significantly higher

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[2] The following tables refer only to general jurisdiction courts. In the 44 states with both general and limited jurisdiction courts, most of the trial court caseload is disposed of in the limited jurisdiction courts. Before making comparisons among states it is important to consult the individual court structure charts in Part IV to determine the subject matter of cases heard in courts of general jurisdiction.

[3] Suggested definitions for key terms are supplied in the *State Court Model Statistical Dictionary, 1989.*

[4] Dale A. Sipes, *On Trial*, National Center for State Courts, 1988. The sites were: California (superior courts in Oakland, Monterey, and Marin County); Colorado (district courts in Denver, Colorado Springs, and Golden); and New Jersey (superior courts in Jersey City, Paterson, and Elizabeth).

TEXT TABLE 2: Percentage of Civil and Criminal Cases Tried to Verdict by Jury and Bench Trial

	Criminal Cases	
	Jury	Bench
California	71 %	100 %
Colorado	85	83
New Jersey	82	75
	Civil Cases	
	Jury	Bench
California	74 %	90 %
Colorado	77	90
New Jersey	63	81

Source: Dale Sipes, *On Trial*, National Center for State Courts, 1988

than it would be if a trial disposition was defined as a jury verdict being reached.

Trial definitions for each court system are displayed under the "trial definition" column in Tables 1 and 2. These definitional differences undoubtedly explain some of the variation in trial rates that will be examined later. Generally, most states providing data define a trial in a way that overstates the number of cases concluded at trial. That definition could, however, provide court managers with guidance on the number of trial settings that need to be scheduled by judicial district.

At a more fundamental level, the size of the total pool of criminal cases available for disposition is affected by definitional considerations. Courts differ in the point at which a case is initially counted as filed, ranging from the filing of the information or indictment to the time of the arraignment. Given that a certain number of cases will drop out of the system between those two points—usually through a plea or dismissal—those courts that use an early count will tend to have a higher rate of nontrial dispositions for purely definitional reasons.

Courts also differ in the case unit of count. This is particularly important for criminal cases, where courts variously use charges, defendants, or indictments as the basic unit for collecting statistics. A single criminal incident involving two defendants can be counted as one case (a single incident) or two cases (one for each defendant) or as more than two cases if each count against each defendant is considered a case. Table 1 summarizes the point and unit of count underlying the statistics reported for each court system.

The casetypes for which method of disposition data were sought are shown as headings to the right of each table. The "+" symbol is used to designate if a casetype is included in a particular row of information. Where possible, disposition methods are displayed separately for each casetype. Where the "o" symbol appears, reported data do not include that particular casetype.[5]

For most states, disposition data describe a mix of casetypes. This obscures the implications of the resulting trial rate, because different types of cases require differing amounts of time to decide depending on the complexity of the issues. For example, an uncontested divorce will typically require only a few minutes of court time, while the average contract case disposed by jury trial requires two days (14 hours and 2 minutes of trial time[6]). Some types of cases have an inherently high trial rate. Statutes in many states provide that appeals of administrative agency decisions are to be resolved through bench trials in the general jurisdiction court. This inflates the bench trial rate for court systems in which such appeals are included in the base of case dispositions for which a rate is calculated. Generally, Tables 1 and 2 report the most detailed breakdowns of disposition method data available.

The lack of complete and comparable information for all states makes it impossible to offer a definitive assessment of how trial court cases are decided. It is possible, however, to remain within the limits of what is prudent given the state of the data and still draw conclusions. The states reporting data represent a broad cross-section of regions, population sizes, court structures, and criminal and civil caseload sizes.

Patterns of Trial Court Dispositions, 1988

The following sections describe national patterns on the method of disposing of criminal and civil cases in 1988. Criminal and civil cases are treated separately but through a similar framework. First, court procedures are outlined to develop issues for discussion using the data and to highlight the various methods of disposition. Then, the relative frequency is examined for trials, guilty pleas, and dismissals as methods for disposing of criminal cases and for trials, defaults, and settlements in civil cases. Where possible, jury and bench trial rates are examined separately. The discussion respects the limits of comparability and completeness, while still addressing matters of substantive concern to the court community.

Criminal Dispositions

Stages in the Disposition of a Criminal Case

Criminal cases enter the court system at the decision to file charges. Charges are initiated by the prosecutor, although the official charging document differs between felony and misdemeanor offenses and varies among the states (and often by district, circuit, or county within states). In one-half of the states, felony charges require an indictment by a grand jury unless the defendant waives that right. In states without a grand jury, charges are initiated by an information signed by the prosecutor. Misdemeanor cases typically are initiated through the filing of a complaint.

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[5] For example, if one is interested in criminal dispositions in the Wisconsin Circuit Court, turn to Table 1. The first of the three rows under Wisconsin has a + sign under the F casetype, which indicates that the disposition information in that row contains information on felony caseloads. The second and third rows provide exclusive disposition information on, respectively, misdemeanors and DWI/DUI cases.

[6] Sipes, *supra* note 4, at p. 10.

Once an indictment or information is filed with the trial court, defendants are scheduled for arraignment. At the arraignment, defendants are formally charged, advised of their rights, and called upon to plead. If the defendant pleads guilty or nolo contendere, the judge can either accept or reject the plea. A date for sentencing is then set if the plea is accepted. The plea may be rejected if, for example, the judge believes that defendants do not fully understand their rights. The case would then proceed to trial.

A trial date is set if the defendant pleads not guilty. The defendant has the right to either a trial by jury or a bench trial. In both instances, the prosecution and defense present their statements and evidence and the judge rules on issues of law in jury trials and on both law and fact in bench trials. Although most trials result in either an acquittal or conviction, a mistrial is another possible outcome. Further, guilty pleas are sometimes entered during the course of a trial and cases are dismissed on the motion of the prosecutor, defense counsel, or the judge.

Criminal Dispositions by Casetype, 1988

The available information permits an overview of the use of trials, guilty pleas, and dismissals in 1988.[7] Table 1 presents the summary data on the method of disposition for criminal cases.

TRIAL. Few criminal cases are resolved by formal trial proceedings. The overwhelming majority of criminal cases are disposed by either a guilty plea or a dismissal. **Text Table 3** shows the percentage of dispositions reached through the trial process by state and in the aggregate nationally. Overall, approximately 6 percent of criminal cases were disposed at trial in 1988. States vary substantially, however, in the frequency with which trials were held. The trial rate ranges from lows of less than 1 percent in Connecticut (misdemeanors only) and Texas (misdemeanors only) to highs of 25 percent in Missouri (misdemeanors only), 33 percent in Virginia (misdemeanors and other criminal cases only), and 38 percent in Hawaii (DUI cases only). Some of this variation undoubtedly can be attributed to inconsistencies in the criminal casetypes included in the reported trial rates and the definition of a trial. As can be seen in Table 1, the trial rates may include any combination of felony, misdemeanor, DUI/DWI, or other criminal cases. The varying patterns of consolidating the different criminal casetypes apparent in Text Table 3 make it difficult to interpret and compare the published trial rates.

Text Table 4 narrows the field to felony cases. In 12 states and the District of Columbia a trial rate specifically for felony cases could be determined. Trial rates ranged from a low of 3 percent in Texas (2 percent jury and 1 percent bench) to a high of 28 percent in Virginia (6 percent jury and 22 percent bench). The figure for Virginia is twice the rate of the second highest felony trial rate of 14 percent in Missouri.

JURY TRIALS. Aggregating data for the 32 states reveals a virtually even split between jury and bench trials, with jury trials representing 47.4 percent of all trials held and bench trials the remaining 52.6 percent (Text Table 3). Aggregation, however, conceals the fact that jury trial rates exceed bench trial rates in 19 of the 32 states. Further, 19,703 of the 51,478 reported criminal bench trials occurred in Virginia. The influence of this one court system is extreme. If the data from Virginia is excluded from the total, the split between jury and bench trial reverses, with jury trials representing 57 percent and bench trials 43 percent of all trials. The percentage of total dispositions by jury trial ranges from a low of less than 1 percent in Connecticut (misdemeanor data only) to a high of 11 percent in Hawaii (a combination of felony, misdemeanor, and other criminal cases).[8]

A focus on felony cases again adds precision. Indeed, Text Table 4 shows jury trial rates for felonies occupy a narrow range: from 2 percent in Texas to 7 percent in Alaska and the District of Columbia. In addition, jury trial rates in felony cases exceed bench trial rates in 10 of the 13 reporting states.

BENCH TRIALS. Most states report bench trial rates in the range of 1 to 4 percent. In Text Table 3, bench trials represent less than 1 percent of all dispositions in ten states[9] and the District of Columbia. Although bench trials account for 31 percent of dispositions in Hawaii (DUI cases only) and Virginia (misdemeanor and other criminal cases only), only in two other states—Missouri (22 percent) and North Dakota (15 percent)—do bench trial rates exceed 10 percent.

The high bench trial rates in Hawaii, Missouri, North Dakota, and Virginia may reflect peculiarities associated with the types of cases being reported (e.g., DUI in Hawaii); distinctive definitions for what is to be counted as a bench trial, including proceedings that are not treated as trial settings in other states (e.g., probation revocation hearings); or jurisdictional or procedural factors that promote the use of bench trials to decide cases.

Returning to felony cases, in 13 courts the field is narrowed to a well-defined type of case. Text Table 4 displays bench trial rates in 13 states, including Missouri and Virginia. The courts in 12 of the 13 states have felony bench trial rates of less than 10 percent. These rates are comparable with those reported in a 1987 study of 26

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[7] See the *State Court Model Statistical Dictionary, 1989* for standardized definitions of the disposition terms used in this section.

[8] Twenty-four of the 32 states publishing the appropriate data had jury trial rates of 5 percent or less.

[9] These states are: Alaska, Arizona, Colorado, Connecticut, Delaware, Florida, Minnesota, New Jersey, Texas, and Vermont.

TEXT TABLE 3: Percentage of Criminal Dispositions Reached at Trial, 1988

State	Percent Trial	Percent by Jury	Percent by Bench	F M D O
Alaska	7.2%	6.9%	0.3%	+ 0 0 0
Arizona	4.1	3.7	0.4	+ + + +
California	6.8	4.6	2.0	+ + + +
Colorado	4.5	4.0	0.5	+ 0 0 +
Connecticut	0.4	0.1	0.3	0 + 0 0
Delaware	6.2	5.7	0.5	+ + 0 +
District of Columbia	7.1	6.9	0.2	+ 0 0 0
	4.3	2.7	1.6	0 + 0 0
Florida	2.9	2.6	0.4	+ + 0 +
Hawaii	14.6	10.7	4.0	+ + 0 +
	38.4	7.7	30.6	0 0 + 0
Indiana	12.5	6.0	6.5	+ 0 0 0
Iowa	4.3	1.5	2.8	+ + + +
Kansas	5.8	4.2	1.7	+ 0 0 +
	4.2	0.9	3.3	0 + 0 0
Maine	6.7	5.1	1.6	+ + + +
Maryland	8.3	3.6	4.7	+ + 0 +
Michigan	10.9	4.5	6.4	+ 0 0 +
Minnesota	5.4	4.6	0.8	+ 0 0 0
	2.1	1.7	0.3	0 + 0 0
Missouri	13.6	4.2	9.4	+ 0 0 0
	25.4	3.5	21.8	0 + 0 0
Montana	9.6	5.4	4.3	+ + 0 +
New Jersey	5.3	4.9	0.4	+ 0 0 0
New York	7.7	6.4	1.3	+ 0 + 0
North Dakota	18.7	3.7	15.0	+ + 0 +
Ohio	8.3	4.3	4.0	+ 0 0 0
Oklahoma	6.9	3.7	3.1	+ 0 0 +
	5.3	0.6	4.7	0 + 0 +
	4.7	0.7	4.0	0 0 + 0
Oregon	7.9	4.5	3.5	+ 0 0 0
Pennsylvania	7.2	3.1	4.1	+ + + 0
South Dakota	5.6	4.3	1.3	+ 0 0 0
	1.4	0.1	1.3	0 + + 0
Texas	3.1	2.1	1.0	+ 0 0 0
	0.9	0.6	0.3	0 + 0 0
Vermont	3.5	3.0	0.5	+ 0 0 0
	1.5	1.0	0.5	0 + + +
Virginia	28.3	6.4	21.9	+ 0 0 0
	33.1	2.6	30.5	0 + 0 +
Washington	8.2	6.6	1.7	+ 0 0 +
Wisconsin	6.8	4.9	1.9	+ 0 0 0
	2.2	1.2	1.0	0 + 0 0
	2.7	1.8	0.9	0 0 + 0
Wyoming	8.6	3.8	4.8	+ 0 0 +

Aggregate Trial Rates for Courts Reporting Disposition, Jury Trial, and Bench Trial Information

Variables	Total	Percentage of Total	
Dispositions	1,618,012		
Trials	97,873	6.1%	
Jury	46,395	2.9	(47.4% of Total Trials)
Bench	51,478	3.2	(52.6% of Total Trials)

Casetypes: F=Felony; M=Misdemeanor; D=DUI/DWI; O=Other Criminal

urban trial courts.[10] Virginia remains atypical, however, with a felony bench trial rate of 22 percent. When coupled with the high bench trial rates for misdemeanor and other criminal cases, this suggests that perhaps some Virginia general jurisdiction courts use a broader measure of bench trial rates than other courts.[11]

VARIATION IN TRIAL RATES. How trials are defined offers a likely explanation for the variation in trial disposition rates among states. Examining Table 1 in

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[10] John Goerdt et al., *Examining Court Delay: The Pace of Litigation in 26 Urban Trial Courts, 1987*, National Center for State Courts, 1989. The data appendix to this report shows bench trial rates ranging from a low of less than 1 percent in Miami, Minneapolis, and Newark to a high of 9 percent in Portland.

TEXT TABLE 4: Percentage of Felony Dispositions at Trial, 1988

State	Percent Trial	Percent by Jury	Percent by Bench
Alaska	7.2%	6.9%	0.3%
District of Columbia	7.1	6.9	0.2
Indiana	12.5	6.0	6.5
Minnesota	5.4	4.6	0.8
Missouri	13.6	4.2	9.4
New Jersey	5.3	4.9	0.4
Ohio	8.3	4.3	4.0
Oregon	7.9	4.5	3.5
South Dakota	5.6	4.3	1.3
Texas	3.1	2.1	1.0
Vermont	3.5	3.0	0.5
Virginia	28.3	6.4	21.9
Wisconsin	6.8	4.9	1.9

conjunction with Text Table 4 provides information on both the definition of a trial and the trial rate for felony cases. States with low bench trial rates like Alaska and New Jersey count a case as disposed only if the case is tried to decision. This contrasts with the practice of states that report comparatively high bench trial rates. In Missouri and Virginia a case is counted as disposed by a bench trial once the opening statements are made. However, this explanation is not fully satisfactory. The District of Columbia, for example, reports a bench trial rate of less than 1 percent using the same definition as Virginia, where the rate is 22 percent.

It appears, therefore, that other, more substantive factors may be at work. One of these may be the size of the court's caseload. A full-fledged trial is an expensive proposition both in terms of judicial time and limited courtroom and other court resources. Most states have a relatively fixed capacity (e.g., limited number of judges and courtrooms) with which to handle trials. This suggests that rising caseloads may be counterbalanced by decreasing percentages of cases disposed at trial. Prosecutors recognize the limitations and become more selective in the cases that they take to trial.

Such reasoning may help to explain why states with a higher ratio of caseload to court capacity tend to have relatively fewer trials. As expanding caseloads impinge on a fixed court size, increasing congestion and delay may boost the incentive to seek alternatives to formal trial dispositions. Therefore, while the absolute number of trials may be larger in such courts, the percentage of cases disposed of at trial may be smaller. A comparison of Hawaii and California is illustrative. California has approximately 10 times as many bench trials and 20 times as many jury trials as Hawaii. Yet trials represent 7 percent of California's total criminal dispositions, compared to the 17 percent of cases in Hawaii that are disposed of through trial. Other factors underlying the variation in trial rates are less readily measured within the confines of this study. However, these "unmeasured explanations for the variation in trial disposition rates may involve various idiosyncracies relevant to state laws, prosecutorial philosophies and case screening policies, state legal cultures and norms, and the formal involvement of judges in the pretrial resolution stage."[12]

TRIAL VERDICTS. The number and frequency of trials is of interest to judges and court administrators. There is probably wider interest in the verdicts that result from those trials.

Anticipating the rate at which defendants are convicted or acquitted at trial is challenging. The number of cases terminated by formal trial proceedings is quite small, the product of a lengthy screening process. Since most defendants are convicted by a plea of guilty (a topic discussed in the next section), can one characterize the type of case that proceeds to trial?

Incentives from prosecutors in the form of charge reductions and recommendations for reduced sentences, as well as the risk of longer sentences following a trial conviction, are strong inducements to most clearly guilty defendants to plead guilty prior to trial.[13] In addition, defendants facing questionable evidence or prosecution witnesses who are less than credible are likely to be offered even more substantial plea bargains as incentives.[14] This implies that most of the prosecution's "strong" cases, as well as many cases with more tenuous evidence will be settled by plea agreement.

To forgo attractive prosecutorial offers and risk an extended prison sentence implies that many defendants who proceed to trial estimate a relatively high probability of acquittal. Of course, not every such decision is based on rational, calculated decision-making. Some defendants will go to trial regardless of the strength of the prosecution's case. And we cannot discount the situation of defendants who indeed are innocent and believe that the trial process will bear that out.

Text Table 5 shows the jury and bench trial conviction rates for 9 of the 36 states. The data from those states demonstrate that whatever the perception underlying decisions to proceed to trial, the rate of acquittal is low. Approximately two-thirds of all defendants who went to trial in those states' general jurisdiction courts in 1988 were convicted.[15] These results seem to be consistent

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[11] This viewpoint is supported by Goerdt et al., which showed bench trial rates for two large urban courts in Virginia: Fairfax (7%) and Norfolk (6%). There is variation between these figures and those published for the two circuits in the *1987 Virginia Annual Report.* Fairfax showed a bench trial rate of 44% and Norfolk showed a bench trial rate of 7%.

[12] Victor E. Flango et al., *The Business of State Trial Courts*, National Center for State Courts, 1983, p. 40.

[13] The existence of differential sentencing (the belief that a defendant who pleads guilty will receive a less severe sentence than one who is convicted at trial) has been confirmed in a wide variety of studies. For a review of the literature, see William F. McDonald, *Plea Bargaining: Critical Issues and Common Practices*, U.S. Dept. of Justice, National Institute of Justice, 1985.

[14] Both the decision to plead guilty rather than go to trial and the extent of the offered plea agreement are reported by virtually all researchers to depend on case strength. See, e.g., Joan Jacoby, *The American Prosecutor: A Search for Identity*, Lexington Books, 1980.

[15] There is some variation between courts, especially with regard to bench trial rates. Florida and New Jersey both report bench trial conviction rates of less than 50 percent.

TEXT TABLE 5: Conviction Rate at Trial, 1988

State	Percent Jury Convict	Percent Bench Convict	F M D O
California	81.3%	74.2%	+ + + +
Delaware	66.0	68.2	+ + 0 +
Florida	58.6	42.1	+ + 0 +
Kansas	77.6*		+ 0 0 +
	75.0*		0 + 0 0
Maine	69.8	60.8	+ + + +
Montana	73.3	92.5	+ + 0 +
New Jersey	68.9	31.4	+ 0 0 0
Texas	83.4	64.4	+ 0 0 0
	72.0	92.3	0 + 0 0
Vermont	66.2	54.5	+ 0 0 0
	61.0	74.2	0 + + +

*The Kansas conviction rate combines both jury and bench trials.

Casetypes: F=Felony; M=Misdemeanor; D=DUI/DWI;
O=Other Criminal

over time, meshing with 1978 figures reported for a similar mix of courts in an earlier NCSC Court Statistics Project publication, *The Business of State Trial Courts*, as well as several classic case studies.[16]

GUILTY PLEAS. **Text Table 6** indicates that 66 percent of all criminal case are disposed of by a guilty plea.[17] Most states conform rather closely to that rate. Departures from the two-thirds norm are often for specific types of cases. However, California reports that guilty pleas were obtained in 87.2 percent of all cases while Pennsylvania reports guilty pleas in 46.7 percent of cases.

When consideration is restricted to felony cases, as shown in **Text Table 7**, guilty pleas range from relatively low rates of 46 percent in Texas and 51 percent in South Dakota and Virginia to relatively high rates of 71 percent in Ohio and 84 percent in Rhode Island.

THE GUILTY PLEA PROCESS. Because the determination of guilt is so critical, there is a well-defined process and a number of constitutional guarantees that underlie a plea of guilty. At the point of the arraignment, the defendant must decide whether to proceed to trial or admit guilt. There are several plea alternatives if the defendant opts to forgo trial. First, the defendant may plead guilty to the charges. A second alternative, available in most jurisdictions, is a plea of nolo contendere, or no contest, to the charges. A third alternative is a plea of not guilty by reason of insanity or mental illness.

Before the court's acceptance of any plea, the federal court rules, as well as those of most states, require that an extensive dialogue take place, on the record, between the judge and the defendant to ensure that the plea was fully explained and the consequences of the plea understood. This dialogue establishes an adequate record that the defendant knowingly waived the privilege against self-incrimination, the right to trial by jury, and the right to face one's accusers; ensures that the nature of the offense was fully explained to the defendant; and verifies that the plea was fully explained and the consequences of the plea understood. Another requirement is that the defendant be represented by counsel to provide an informed and impartial analysis of the prospects at trial relative to a guilty plea.

The plea process is certainly swifter than the formal trial process, but it need not be less fair. Although fairness

TEXT TABLE 6: Nontrial Criminal Dispositions, 1988*

State	Percent Plea	Percent Dismiss	Percent Other	F M D O
Alaska	64.8%	26.9%	1.1%	+ 0 0 0
California	87.2	6.0	-	+ + + +
Delaware	70.4	19.8	3.6	+ + 0 +
District of Columbia	60.0	13.0	18.5	+ 0 0 0
	30.3	23.5	41.9	0 + 0 0
Florida	74.8	13.6	5.9	+ + 0 +
Hawaii	52.3	24.0	9.1	+ + 0 +
	33.2	2.2	26.2	0 + 0 0
Indiana	62.7	21.3	-	+ 0 0 0
Kansas	59.7	21.8	12.7	+ 0 0 +
	48.8	33.5	13.5	0 + 0 0
Maine	51.1	26.9	15.3	+ + + +
Michigan	57.4	13.4	19.4	+ 0 0 +
Missouri	70.4	11.2	0.7	+ 0 0 0
	41.2	30.0	0.7	0 + 0 0
Montana	66.0	24.4	-	+ + 0 +
New Jersey	64.5	18.2	-	+ 0 0 0
New York	83.1	8.5	1.5	+ 0 + 0
North Carolina	63.4	29.9	2.9	+ 0 0 0
North Dakota	78.9	-	-	+ + 0 +
Ohio	71.1	9.6	9.8	+ 0 0 0
Oklahoma	60.0	33.1	-	+ 0 0 +
	60.4	29.1	5.2	0 + 0 +
	82.1	12.3	0.9	0 0 + 0
Pennsylvania	46.7	8.2	38.0	+ + + 0
Rhode Island	84.4	11.8	0.3	+ 0 0 0
	59.5	23.2	5.2	0 + + +
South Carolina	63.6	27.7	6.3	+ + + +
South Dakota	51.2	43.2	-	+ 0 0 0
	85.0	13.6	-	0 + + 0
Texas	46.0	17.8	21.1	+ 0 0 0
	35.1	23.5	36.0	0 + 0 0
Vermont	64.1	25.0	0.5	+ 0 0 0
	68.9	23.9	-	0 + + +
Virginia	51.6	15.7	4.5	+ 0 0 0
	36.1	27.0	3.9	0 + 0 +
Washington	69.9	15.5	5.5	+ 0 0 +
Wisconsin	67.2	19.1	6.9	+ 0 0 0
	64.7	32.1	1.0	0 + 0 0
	81.0	15.8	0.5	0 0 + 0
Wyoming	63.5	16.9	11.0	+ 0 0 +

*Disposition percentages exclude trial rates and will not sum to 100 percent.

- =Not available.

Casetypes: F=Felony; M=Misdemeanor; D=DUI/DWI;
O=Other Criminal.

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[16] James Eisenstein and Herbert Jacob, *Felony Justice*, Little, Brown, 1977; Vera Institute of Justice, *Felony Arrests*, Longman Inc., 1981; and Abraham S. Blumberg, *Criminal Justice*, Quadrangle Books, 1970.

[17] This is the percentage of *filings* that were disposed of by a guilty plea. An estimate of the number of *convictions* disposed of by a guilty plea can be obtained by first subtracting the number of cases dismissed from the filing total. This gives a guilty plea rate of 79 percent of convictions.

TEXT TABLE 7: Nontrial Felony Dispositions, 1988

State	Percent Plea	Percent Dismiss	Percent Other
Alaska	64.8%	26.9%	1.1%
District of Columbia	60.0	13.0	18.5
Indiana	62.7	21.3	-
Missouri	70.4	11.2	0.7
New Jersey	64.5	18.2	-
North Carolina	63.4	29.9	2.9
Ohio	71.1	9.6	9.8
Rhode Island	84.4	11.8	0.3
South Dakota	51.2	43.2	-
Texas	46.0	17.8	21.1
Vermont	64.1	25.0	0.5
Virginia	51.6	15.7	4.5
Wisconsin	67.2	19.1	6.9

- = Not available

is a difficult quality to measure, the overwhelming prevalence of guilty pleas provides strong evidence that the plea process is more desirable to both defendants and prosecutors than trial. Both sides benefit. Prosecutors benefit because they are able to secure high conviction rates without incurring the uncertainty and cost of trial. Defendants presumably prefer the outcome of the negotiation to the exercise of their trial rights or the deal would not have been struck. The defendant also saves the uncertainty and cost of trial.[18]

THE PREVALENCE OF GUILTY PLEAS. Approximately 79 percent of all criminal convictions occur through a guilty plea. Often this involves an explicit bargain or agreement between the defense and prosecution. The prevalence of plea bargaining has been explained by the impact of caseload pressure upon criminal court operations.[19] As caseload pressure increases, it is argued, overworked prosecutors substitute compromise (plea bargaining) for traditional due process methods and guilty pleas replace trials as the primary form of disposition. Furthermore, this situation can only be remedied by reducing caseload pressures through a large infusion of resources into the criminal justice system.

This conventional wisdom is challenged by several recent studies. A study conducted in the Connecticut Superior Court found that the trial rate had remained relatively unchanged at about 8.7 percent from 1880 to 1959 although caseloads considerably increased. Similar results were found in a more statistically rigorous study of the Chicago courts, where variations in caseload did not affect the guilty plea rate or the decision to pursue a case to trial.[20]

Examining this issue using felony disposition data, Text Table 7, in conjunction with Table 15 (Part III, p. **xxx**), provides some support for these recent findings. There is no evidence of a relationship between caseload levels and the number of guilty pleas.[21] For example, the percentage of guilty pleas in states with large felony caseloads such as Texas (46%) and New Jersey (65%) do not differ greatly from the percentage of guilty pleas in low criminal caseload states such as Alaska (65%) and South Dakota (51%). Although such comparisons are far from conclusive, they support the view that caseload pressure alone does not explain the prevalence of guilty pleas and, by inference, of plea bargaining. It is therefore highly unlikely that an increase in criminal justice resources, on its own, would lead to the elimination of plea bargaining. Prosecutors would still have incentives to plea bargain in cases where questions exist over the credibility of witnesses, cases where key evidence might not stand up at trial, and in many other situations. Prosecutors, however, mention caseload pressures as one important reason for engaging in plea bargaining.[22] A reasonable conclusion is that caseload pressures are but one ingredient in the plea bargaining decision. Caseload pressure is a general impetus to plea bargain, but does not determine which specific cases will be bargained or the generosity of any particular bargain.

DISMISSALS. In a pretrial meeting, the defense attorney may ask the prosecutor to dismiss the charges against the client. An unqualified dismissal involves neither a plea by the defendant nor an exchange by the prosecutor; rather, a dismissal is a decision by the trial court to terminate all charges against a defendant. Dismissals typically point to questions over the sufficiency of the evidence. Eyewitness identification may be uncertain, victims reluctant to testify, and the evidence circumstantial.

Text Table 6 indicates that approximately 20 percent of all criminal cases are dismissed, making it the second most common method of case disposition. The lowest dismissal rate for felony cases (Text Table 7) are 10 percent in Ohio and 11 percent in Missouri. The highest rates are in North Carolina (30 percent) and South Dakota (43 percent). It is noteworthy that the lowest dismissal rate is higher than the average trial rates.

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[18] The debate over the efficacy of plea bargaining has created a large literature. See, e.g., Lynn Mather, *Plea Bargaining or Trial?*, Lexington Books, 1979.

[19] See, Albert Alschuler, "The Prosecutor's role in Plea Bargaining," 36 *University of Chicago Law Review* (1968). The theory of caseload pressure should be contrasted with Malcom Feely, "Plea Bargaining and the Structure of the Criminal Process," *Justice System Journal*, vol. 7, no. 3, 1982, p. 338. Rather than issues of caseload pressure, efficiency considerations, or resource conservation underlying the prevalence of plea bargaining, Feeley argues that changes in the structure of the criminal justice system (e.g., expansion of criminal law and procedural rights, the rise of criminal justice professionals) has increased the level of adversariness. This increased adversariness has led to increased negotiation resulting in a more evenly balanced relationship between the state and the defendant.

[20] See, e.g., Milton Heumann, *Plea Bargaining*, University of Chicago Press, 1978; Peter Nardulli, "The Caseload Controversy and the Study of Criminal Courts," 70 *Journal of Criminal Law and Criminology* (1979).

[21] These figures should only be viewed as suggestive since they do not control for the staffing size of the courts or the prosecutor's offices.

[22] For an example of research based on prosecutor interview data which has found caseload pressure to have a direct effect on case determination, see William F. McDonald, *Plea Bargaining: Critical Issues and Common Practice*, National Institute of Justice, 1985.

Civil Dispositions

The proceedings and outcomes of civil cases do not possess the peculiar fascination that the public and press find in serious criminal cases. Only the occasional multimillion dollar judgment brings the civil courts into the limelight. This obscures reality because most of the workload of general jurisdiction courts consists of civil cases.[23]

There are some important procedural differences between criminal and civil cases. This section outlines the stages of a civil action from the filing of the initial complaint to case termination. An analysis of the frequency with which civil cases are disposed by trial, settlement, dismissals, and default then follows.

Stages in the Disposition of a Civil Case

All states have established rules of civil procedure that mandate the way that civil actions are to be initiated and processed. The process begins when a complaint is filed with the clerk of the court outlining the facts of the case, the alleged civil wrong, and a request for a court ordered remedy such as monetary damages. The defendant is informed of the complaint through a summons and is required to respond to the complaint within a limited time period; otherwise, default judgment may be entered against the defendant.

Once a civil action has been initiated, it may be several years before the trial stage is reached. This underscores the lack of binding rules concerning the pace of civil litigation (23 states have nonbinding "goals" for increasing the pace of civil cases) that contrast with the speedy trial rules enforced for criminal cases.[24]

Both parties are likely to use the interim period to prepare their cases through the discovery process. This may take the form of verbal questioning under oath (depositions) or by asking detailed and specific written questions (interrogatories). This process allows each party to clarify exactly what is disputed by the other party, and which witnesses the opposing party will use to prove its case. At the completion of discovery, many courts schedule a pretrial conference with the opposing parties and the judge to examine the legal issues and discuss the possibility of settlement.

As in criminal cases, a civil case that proceeds to trial may be held before either a judge or jury. If the jury finds in favor of the plaintiff, the jury also sets the monetary amount of the award. This varies from the standard practice in most criminal courts where the jury determines guilt or innocence, but the sentencing is left to the judge. In other respects, the form of a civil trial is similar to a criminal trial.

Civil Dispositions by Casetype, 1988

This section now turns to an analysis of specific patterns that are evident for dispositions by trial and by settlement, dismissal, or default. Table 2 displays summary data on the method of disposition of civil cases in 1988. The civil casetypes included as well as bench and jury trial definitions are also shown for each court in Table 2.

TRIAL. Most civil cases are settled prior to trial. Therefore, as with criminal cases, the formal trial process is the least used method of civil case disposition. **Text Table 8** displays civil trial rates by state and in aggregate.

Overall, trials account for 9.2 percent of all civil dispositions in 1988. Of the 34 states reporting relevant information, 21 have combined jury and bench trial rates of 9 percent or less for all civil casetypes. The remaining courts show considerable variation, with trial rates reaching to as high as 35 percent in Oklahoma (small claims cases only) and 39 percent in Missouri (small claims cases only).

As with criminal trial rates, it is likely that the various combinations of general civil (tort, contract, and real property), small claims, domestic relations, and other civil cases shown in Text Table 8 complicate interpretation of civil trial rates. **Text Table 9** presents trial rate information for general civil cases only.[25] As can be seen, there is still considerable variation in trial rates. The range however is more restricted, with highs of 20 percent in North Carolina and 24 percent in Oklahoma. Fifteen of the 27 states publishing data on general civil caseloads report trial rates of 7 percent or less.[26]

JURY TRIALS. Aggregating over the 34 states in Text Table 8 finds that 12.5 percent of all civil trials were jury trials; the remaining 87.5 percent were before the bench. There is little variation in jury trial rates, with all states reporting civil jury trial rates of less than 6 percent.[27] In only six states do jury trial rates exceed bench trial rates.

In many instances, Text Table 9 allows an examination of jury trial rates for the components of general civil caseload. For the 10 states that report such specific data, it can be seen that jury trial rates in tort cases are all below

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[23] In 1988, Table 7 (Part III, p. 111) shows that 71 percent of the general jurisdiction caseload was civil cases with the remaining 29 percent being criminal cases.

[24] The difference in case processing time between civil and criminal cases is substantial. The NCSC publication, *Examining Court Delay: The Pace of Litigation in 26 Urban Trial Courts, 1987*, p. 12, 54, shows the median time from complaint to disposition in civil cases to be 333 days and the median time from arrest to disposition in felony cases to be 119 days.

[25] The reported general civil trial rates may include some "other civil" cases if they cannot be separated from tort, contract, and real property cases. It is important to focus on this grouping as general civil excludes casetypes such as small claims where a jury trial is not an option.

[26] These results do not significantly differ from those found by Goerdt et al. In unpublished data from *Examining Court Delay: The Pace of Litigation in 26 Urban Trial Courts, 1987*, the civil trial rate ranged from a low of 2 percent in Dayton to highs of 18 percent in Portland and 20 percent in Fairfax.

[27] Again, these rates mirror the levels found in Goerdt et al., *supra* note 10, p. 24.

TEXT TABLE 8: Percentage of Civil Dispositions Reached at Trial, 1988

State	Percent Trial	Percent by Jury	Percent by Bench	TCRSDO
Alaska	6.0%	1.4%	4.6%	+++00+
Arizona	2.9	1.0	1.9	+++00+
California	3.9	1.6	2.3	+00000
	17.0	5.0	11.9	00+000
Colorado	2.5	0.9	1.7	+++00+
Connecticut	2.9	1.1	1.9	+++00+
Delaware	2.8	1.7	1.1	+++00+
District of Columbia	1.6	0.8	0.8	++000+
Florida	5.7	4.7	1.0	+00000
	4.2	0.8	3.4	0+0000
	3.7	0.2	3.5	00+000
	0.9	0.2	0.7	00000+
Hawaii	2.8	1.9	0.9	+00000
	1.7	0.5	1.2	0+0000
	0.4	0.4	0.0	00+000
	1.1	0.3	0.8	00000+
Indiana	19.9	1.1	18.8	+++00+
Iowa	10.4	1.0	9.4	+++0++
Kansas	5.9	0.6	5.3	+++00+
Maine	5.9	4.0	1.9	+++0++
Maryland	9.1	1.3	7.8	+++0++
Massachusetts	6.5	2.3	4.2	+00000
	10.3	1.4	8.9	0+0000
	15.0	1.6	13.4	00+000
Michigan	3.3	2.9	0.4	+00000
	2.2	0.6	1.5	0++00+
Minnesota	16.2	4.5	11.8	+00000
	5.6	1.4	4.2	0+0000
	2.3	0.5	1.8	00+000
	1.1	0.3	0.8	00000+
Missouri	19.3	0.6	18.7	+++00+
	38.8	0.0	38.8	000+00
New Jersey	7.5	0.4	7.1	++++0+
New York	10.4	4.5	5.9	+++0++
North Carolina	20.2	5.7	14.5	+++00+
North Dakota	12.9	0.4	12.5	+++0++
Ohio	7.3	3.2	4.1	+00000
	18.6	0.8	17.8	0++00+
Oklahoma	24.6	1.1	23.5	+++000
	35.2	0.0	35.2	000+00
Oregon	5.9	3.6	2.2	+++000
Pennsylvania	11.0	4.4	6.6	+++00+
Rhode Island	8.6	4.4	4.2	+++00+
South Dakota	6.5	1.1	5.4	+++00+
Texas	13.4	3.9	9.5	+00000
	9.5	1.0	8.6	0+0000
	19.4	2.1	17.3	00+000
	13.3	1.0	12.3	00000+
Vermont	14.5	1.5	13.0	+++00+
Virginia	18.9	2.9	16.0	+++00+
Washington	6.4	4.6	1.8	+00000
	3.4	0.4	3.0	0+0000
	2.4	0.1	2.3	00+000
	1.3	0.2	1.1	00000+
Wisconsin	5.5	4.1	1.4	+00000
	2.5	0.3	2.2	0+0000
	2.8	0.0	2.8	000+00
	5.1	0.3	4.8	00000+
Wyoming	28.4	0.5	27.9	+++0++

Casetype: T=Tort; C=Contract; R=Real Property; S=Small Claims; D=Domestic Relations; O=Other Civil

Aggregate Trial Rates for Courts Reporting Disposition, Jury Trial, and Bench Trial Information, 1988

Variables	Total	Percentage of Total	
Dispositions	2,835,491		
Trials	260,980	9.2%	
Jury	32,563	1.2	(12.5% of Total Trials)
Bench	228,417	8.1	(87.5% of Total Trials)

TEXT TABLE 9: Percentage of General Civil Dispositions Reached at Trial, 1988

State	Percent Trial	Percent by Jury	Percent by Bench	TCRO
Alaska	6.0	1.4	4.6	++++
Arizona	2.9	1.0	1.9	++++
California	3.9	1.6	2.3	+000
	17.0	5.0	11.9	00+0
Colorado	2.5	0.9	1.7	++++
Connecticut	2.9	1.1	1.9	++++
Delaware	2.8	1.7	1.1	++++
District of Columbia	1.6	0.8	0.8	++0+
Florida	5.7	4.7	1.0	+000
	4.2	0.8	3.4	0+00
	3.7	0.2	3.5	00+0
	0.9	0.2	0.7	000+
Hawaii	2.8	1.9	0.9	+000
	1.7	0.5	1.2	0+00
	0.4	0.4	0.0	00+0
	1.1	0.3	0.8	000+
Indiana	19.9	1.1	18.8	++++
Kansas	5.9	0.6	5.3	++++
Massachusetts	6.5	2.3	4.2	+000
	10.3	1.4	8.9	0+00
	15.0	1.6	13.4	00+0
Michigan	3.3	2.9	0.4	+000
	2.2	0.6	1.5	0+++
Minnesota	16.2	4.5	11.8	+000
	5.6	1.4	4.2	0+00
	2.3	0.5	1.8	00+0
	1.1	0.3	0.8	000+
Missouri	19.3	0.6	18.7	++++
North Carolina	20.2	5.7	14.5	++++
Ohio	7.3	3.2	4.1	+000
	18.6	0.8	17.8	0+++
Oklahoma	24.6	1.1	23.5	+++0
Oregon	5.9	3.6	2.2	+++0
Pennsylvania	11.0	4.4	6.6	++++
Rhode Island	8.6	4.4	4.2	++++
South Dakota	6.5	1.1	5.4	++++
Texas	13.4	3.9	9.5	+000
	9.5	1.0	8.6	0+00
	19.4	2.1	17.3	00+0
	13.3	1.0	12.3	000+
Vermont	14.5	1.5	13.0	++++
Virginia	18.9	2.9	16.0	++++
Washington	6.4	4.6	1.8	+000
	3.4	0.4	3.0	0+00
	2.4	0.1	2.3	00+0
	1.3	0.2	1.1	000+
Wisconsin	5.5	4.1	1.4	+000
	2.5	0.3	2.2	0+00
	5.1	0.3	4.8	000+

Casetype: T=Tort; C=Contract; R=Real Property; O=Other Civil

5 percent. For contract and real property rights cases, jury trial rates do not exceed 2 percent and 5 percent, respectively.

BENCH TRIALS. Whereas criminal trials were split nearly equally between bench and jury trials, approximately 87 percent of all civil trials are bench trials. Given the fixed nature of jury trial rates, the wide variation in overall trial rates is obviously driven by the variation in bench trial rates. Bench trial rates range from as low as less than 1 percent in Florida (other civil cases only), Hawaii (tort and real property rights cases only), Michigan (tort cases only), and Minnesota (other civil cases only) to as high of 35 percent in Oklahoma (small claims cases only) and 39 percent in Missouri (small claims cases only).

Restricting the analysis to general civil caseloads, Text Table 9 shows the bench trial rates to be highest in Missouri (19 percent for general civil plus other civil), Indiana (19 percent for general civil plus other civil), and Oklahoma (23 percent for general civil).[28]

Refining the analysis one step further, the bench trial rate in tort cases ranges as high as 12 percent in Minnesota, although it is 4 percent or less in 8 of the 10 states providing such specific data. Likewise, bench trial rates in contract cases range as high as 9 percent in Massachusetts and Texas, while bench trials in real property rights cases are highest in Texas (17 percent).

One reason for the apparent preference for bench trials is that jury trials are not suitable or even not permitted for the most common civil casetypes (e.g., domestic relations and small claims). The influence of these high volume casetypes on the disposition totals dilutes the impact of relatively high jury trial rate casetypes, such as torts. As with criminal cases, jury and bench trial rates vary greatly by civil casetype.

SETTLEMENTS, DISMISSALS, AND DEFAULTS. Rising civil caseloads have prompted a shift in resources and decision mechanisms away from formal trial proceedings and toward pretrial settlements in many civil courts.[29] The broad acceptance of the role of settlement in meeting the civil objectives of a "just, speedy, and an inexpensive determination of every action"[30] reflects the emergence of the judge as manager. "Today the need for judges to actively exercise control over the progress of and preparation of civil cases is accepted as a philosophical concept and is written into rules in a number of instances."[31] Encouraging the use of settlement, where applicable, is a principal tool of civil case management in many states and individual trial courts. To an unknown degree, this shift in emphasis may have reinforced the importance of nontrial methods of disposition in civil cases.

The data in Table 2 reflect the importance of settlement as a dominant method of civil case disposition. **Text Table 10** shows the percentage of civil dispositions occurring through a dismissal or settlement, default, or other disposition. Cases that are either settled or dismissed represent between one-quarter to three-quarters of total dispositions in most courts. The total disposition figures include, however, a large number of cases that were initiated but quickly terminated or never fully pursued. These are cases settled by default (the defendant did not respond to the plaintiff's allegations in the initial complaint) or placed in the "other" category (cases that have been consolidated or placed on inactive status). If cases so disposed are removed, the average number of civil cases disposed through settlement approaches 75 percent.

TEXT TABLE 10: Non-Trial Civil Dispositions, 1988*

State	Percent Dismiss/ Settled	Percent Default	Percent Other	T C R S D O
Alaska	47.9%	6.2%	30.9%	+ + + 0 0 +
Delaware	77.6	10.2	9.4	+ + + 0 0 +
Florida	69.1	20.4	4.8	+ 0 0 0 0 0
	46.9	43.1	5.8	0 + 0 0 0 0
	37.3	56.8	2.2	0 0 + 0 0 0
	10.9	10.9	2.2	0 0 0 0 0 +
Hawaii	64.2	1.8	9.8	+ 0 0 0 0 0
	65.8	14.8	13.7	0 + 0 0 0 0
	42.9	0.0	51.0	0 0 + 0 0 0
	27.1	2.3	26.9	0 0 0 0 0 +
Indiana	39.5	26.2	14.4	+ + + 0 0 +
Kansas	44.5	42.8	7.3	+ + + 0 0 +
Maine	56.3	1.7	23.6	+ + + 0 + +
Massachusetts	71.8	-	21.7	+ 0 0 0 0 0
	71.8	-	18.0	0 + 0 0 0 0
	80.9	-	4.2	0 0 + 0 0 0
Michigan	62.5	16.6	17.7	+ 0 0 0 0 0
	48.7	23.8	25.4	0 + + 0 0 +
Minnesota	28.0	-	32.7	+ 0 0 0 0 0
	33.3	-	46.4	0 + 0 0 0 0
	54.7	-	-	0 0 + 0 0 0
	11.6	-	16.6	0 0 0 0 0 +
Missouri	37.0	42.0	1.8	+ + + 0 0 +
	34.5	25.7	0.9	0 0 0 + 0 0
Montana	16.0	4.4	48.2	+ + + 0 + +
New Jersey	48.8	42.8	0.9	+ + + + 0 +
North Carolina	55.5	6.1	18.2	+ + + 0 0 +
Ohio	72.0	4.0	16.8	+ 0 0 0 0 0
	48.8	23.3	9.3	0 + + 0 0 +
Oklahoma	39.3	36.0	-	+ + + 0 0 0
	15.5	49.2	-	0 0 0 + 0 0
Pennsylvania	67.3	-	21.6	+ + + 0 0 +
Rhode Island	77.8	-	-	+ + + 0 0 +
Texas	46.0	3.1	37.5	+ 0 0 0 0 0
	50.1	24.5	15.9	0 + 0 0 0 0
	42.6	6.6	31.4	0 0 + 0 0 0
	53.4	10.9	22.5	0 0 0 0 0 +
Vermont	48.7	38.8	-	+ + + 0 0 +
Virginia	44.9	6.5	29.7	+ + + 0 0 +
Washington	87.8	5.0	0.8	+ 0 0 0 0 0
	67.9	28.0	0.7	0 + 0 0 0 0
	42.4	55.0	0.1	0 0 + 0 0 0
	67.3	31.0	0.4	0 0 0 0 0 +
Wisconsin	41.8	-	52.7	+ 0 0 0 0 0
	39.5	-	58.0	0 + 0 0 0 0
	7.3	-	89.9	0 0 0 + 0 0
	35.7	-	59.2	0 0 0 0 0 +
Wyoming	28.1	33.1	10.4	+ + + 0 + +

*These disposition rates exclude trial rates and will not sum to 100 percent.

- = Not available

Casetype: T—Tort; C—Contract; R—Real Property; S—Small Claims; D—Domestic Relations; O—Other Civil

Text Table 11 displays the nontrial disposition rates for general civil cases. The variation is considerable even within a specific casetype. Tort cases show both the highest (88 percent in Washington) and the lowest (28

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[28] The range of bench trials published by the state courts exhibits a slightly wider scope than found by Goerdt et al. In that study (available in unpublished data), bench trials ranged from 1 percent in Dayton, Colorado Springs, District of Columbia, Detroit, Jersey City, and Newark to highs of 9 percent in Portland and 11 percent in Fairfax.

[29] There is a substantial body of thought which stresses the benefits of the settlement process over trial. See, e.g., Julius M. Title, "New Settlement Techniques for Civil Cases," 18 *Judges Journal* 42 (1979).

[30] Federal Rules of Civil Procedure, Rule 4.

[31] American Bar Association, *The Improvement of the Administration of Justice*, ABA Press, 1981, p. 137.

TEXT TABLE 11: Nontrial General Civil Dispositions, 1988

State	Percent Dismiss/ Settled	Percent Default	Percent Other	T C R O
Alaska	47.9	6.2	30.9	+ + + +
Delaware	77.6	10.2	9.4	+ + + +
Florida	69.1	20.4	4.8	+ 0 0 0
	46.9	43.1	5.8	0 + 0 0
	37.3	56.8	2.2	0 0 + 0
Hawaii	84.2	1.8	9.8	+ 0 0 0
	65.8	14.8	13.7	0 + 0 0
	42.9	0.0	51.0	0 0 + 0
Indiana	39.5	26.2	14.4	+ + + +
Kansas	44.5	42.8	7.3	+ + + +
Massachusetts	71.8	-	21.7	+ 0 0 0
	71.8	-	18.0	0 + 0 0
	80.9	-	4.2	0 0 + 0
Michigan	62.5	16.6	17.7	+ 0 0 0
	48.7	23.8	25.4	0 + + +
Minnesota	28.0	-	32.7	+ 0 0 0
	33.3	-	46.4	0 + 0 0
	54.7	-	97.2	0 0 + 0
Missouri	37.0	42.0	1.8	+ + + +
North Carolina	55.5	6.1	18.2	+ + + +
Ohio	72.0	4.0	16.8	+ 0 0 0
	48.8	23.3	9.3	0 + + +
Oklahoma	39.3	36.0	-	+ + + 0
Pennsylvania	67.3	-	21.6	+ + + +
Rhode Island	77.8	-	-	+ + + +
Texas	46.0	3.1	37.5	+ 0 0 0
	50.1	24.5	15.9	0 + 0 0
	42.6	6.6	31.4	0 0 + 0
Vermont	48.7	38.8	-	+ + + +
Virginia	44.9	6.5	29.7	+ + + +
Washington	87.8	5.0	0.8	+ 0 0 0
	67.9	28.0	0.7	0 + 0 0
	42.4	55.0	0.1	0 0 + 0
Wisconsin	41.8	-	52.7	+ 0 0 0
	39.5	-	58.0	0 + 0 0

- = Not available

Casetype: T=Tort; C=Contract; R=Real Property; O=Other Civil.

percent in Minnesota) percentage of cases dismissed or settled. Contract cases are nearly as diverse. The dismissal/settlement rate for contract cases ranges from 33 percent in Minnesota to 72 percent in Massachusetts. Real property rights cases have rates that range from 37 percent in Florida to 81 percent in Massachusetts.

Overall, some important similarities are found for the patterns of disposition in civil and criminal cases. Most importantly, the percentage of dispositions by trial and nontrial methods are similar. The percentages can, however, obscure the point that substantially more general jurisdiction civil cases are being filed and disposed than criminal cases. Table 7, in Part III, indicates that the total number of civil dispositions is nearly two and one-half times greater than the total criminal dispositions in general jurisdiction courts in 1988. Therefore, while the relative mix of disposition methods may be similar in civil and criminal cases, the actual number of civil dispositions, and the consequent impact on the court system, exceeds the criminal side.

CONCLUSION. The disposition data available from general jurisdiction courts in 1988 indicate that most cases, civil as well as criminal, are not disposed at trial. However, although the trial rate for the country as a whole is less than 10 percent, there is a good deal of variation between states. Felony trial dispositions range from about 1 percent to 24 percent, while general civil trial dispositions range from approximately 1 percent to 28 percent of all cases. Most criminal convictions, however, are obtained through guilty pleas and most civil cases are disposed through settlement.

Thus, despite the widespread availability of a trial before a jury of their peers, overseen by an impartial judiciary, few litigants exercise this option. Although a large number of cases are being disposed without formal trial proceedings, there is an increasing concern by the public and legal community about rising costs, delay, and inefficiency. In addition, there is the perception by some that the most common methods of case termination—the guilty plea in criminal cases and settlement in civil cases—are lacking in fairness.[32] In order to fully explore these issues, accessible and reliable disposition statistics from the nation's state courts are essential.

Observations and Recommendations

The most telling comment on the current status of information about method of trial court dispositions is that little has changed in the last ten years. Roughly the same number of general jurisdiction court systems were included in *The Business of the State Trial Courts*, which described state court activity in 1978, as are found in Tables 1 and 2.[33] Many states are not currently in a position to publish statistics that speak directly to the concerns that the public, judges, the legal profession, and court administrators have on how courts dispose of cases.

This is true despite great strides in automating court records and the extensive development of information systems for tracking criminal and civil cases. The extensive research that accompanied the move toward sentencing guidelines and determinate sentencing systems (and tort reform legislation and alternative dispute resolution in civil law) has not led to the ready availability of statistics on trial rates, dismissals, guilty pleas, or acquittals at trial.

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[32] For example, it was these sorts of concerns that led the Senate Judiciary Committee to convene a task force of major participants in the civil justice system in 1988 to explore ways to reduce court congestion, delay, and cost. The results are published in *Justice for All: Reducing Costs and Delay in Civil Litigation*, The Brookings Institute, October 1989.

[33] In 1978, 27 general jurisdiction court systems had relatively complete information on plea, dismissal, and overall trial rates (no distinction was made between jury and bench trial rates). On the civil side, 33 states had information on overall trial rates. However, only 7 of these states also reported information on settlement and dismissal rates.

Our focus is on the statistics published in annual state court reports or readily available from the administrative offices of the courts. But that is the main official source available to those interested in examining the patterns of case outcomes. Special studies of case disposition methods often exist. Part II of this report is intended to encourage the more systematic and widespread incorporation of such data collection efforts into state court annual reports.

Clearly, more attention should be placed on the quantity and quality of information administrative offices of the court collect and report on the method of case disposition. Two steps are necessary if that is to occur.

First, more consideration needs to be given to the purposes for which such information is collected. What is it that the public, presiding judges, and court administrators need to know on a regular basis? The way in which scarce court system resources are allocated between alternative disposition procedures depends on their relative use. For example, the number of trials per judge offers a basic index of the adequacy of formal trial resources. Similarly, effective differentiated case management requires information on varying time to disposition statistics for each disposition alternative.

Moreover, method of case disposition statistics provide a context for more standard caseload measures like the number of case filings and dispositions. Clearance rates, for example, may fall in a period of stable case filings if more cases are going to trial.

Further, it is helpful to distinguish information on the method by which cases are decided from the type of decision. Criminal cases are resolved at jury trial or bench trial, by a guilty plea or a dismissal before trial, or through a nolle prosequi. Cases can also be disposed of in a court by transfer to another court's jurisdiction; some cases are in practice disposed of when the defendant fails to appear. Civil cases are disposed of by jury trial, bench trial, as uncontested, or when they are dismissed, withdrawn, settled, or submitted to arbitration before trial. The method of disposition categories used should cover the range of options that matter, grouping those options that are similar in their consequences and implications for court schedules and staffing.

The type of decision overlaps with method of disposition for most nontrial methods in criminal cases. Statistics are needed on the number of cases that reach trial but are dismissed, settled, or resolved by a plea. In addition, there is substantial interest in the rates of acquittal and conviction at trial. Public perception of court performance often hinges on the perceived fairness of dispositional outcomes. For civil cases, a different classification scheme is needed. The prototype statistical profile for court reporting in Appendix C (as elaborated in the 1989 edition of the *State Court Model Statistical Dictionary*) is a good starting point.[34] It is recommended, however, that the prototype be modified to include an additional disposition category for summary judgments. Summary judgment allows the court to enter judgment in a case when the court determines that there are "no genuine issues of material fact"[35] so as to avoid the time and expense of trial. It may be that some courts are including summary judgments in the trial category thereby inflating the published trial rate. Clearly distinguishing between summary judgment and trial would increase the precision of method of disposition statistics for civil caseloads.

Second, once a clear set of purposes are agreed, it is necessary to establish clear rules for categorizing and counting dispositions. The *State Court Model Statistical Dictionary* recommends that a jury trial be counted when the jury is sworn and the first evidence is introduced; a bench trial is counted when the first evidence is introduced. Once begun, a trial is counted regardless of whether a judgment is reached.

Clearly stated rules are also needed on what is being counted. It is recommended that defendants be the unit for criminal cases and the complaint the unit for describing method and type of decision. Rules and conventions need to be devised and published for treating such complicating factors as counterclaims and multiplaintiff and multidefendant civil actions. A meaningful breakdown of types of cases needs to be adopted for collecting and reporting method of disposition information. In all instances, the rule or convention should respond to the purposes for which the information is being collected.

Finally, it would be advantageous if these steps were taken in tandem by states and, within states, by all court systems with relevant jurisdiction. The current patchwork of information available on courts of general jurisdiction is inadequate as a basis for describing how court cases are resolved.

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[34] This prototype, however, has not yet been modified to include categories reporting type of decision in civil cases.

[35] Federal Rules of Civil Procedure, Rule 56(c).

PART II Table 1: Criminal Dispositions by Casetype for General Jurisdiction Courts, 1988.

State/Court name:	Casetype F	Casetype M	Casetype D	Casetype O	Unit of Count	Trial definition	Number of dispositions for casetypes described	Number of trials	Number of jury trials	Number of nonjury trials	Number of pleas	Number of dismissals	Number of other dispositions
ALASKA													
Superior Court	+	0	0	0	7-A	C-E	2,392	173	166	7	1,549	644	26
ARIZONA													
Superior Court	+	+	+	+	4-A	A-D	24,006	985	888	97	NA	4,374	NA
CALIFORNIA													
Superior Court	+	+	+	+	2-A	A-D	111,120	7,553	5,138	2,415	96,909	6,658	NA
COLORADO													
District Court	+	0	0	+	4-C	A-D	18,021 B	808 B	714 B	94 B	NA	NA	NA
CONNECTICUT													
Superior Court	+	0	0	0	2-A	A-D	5,245	162	NA	NA	NA	NA	NA
	0	+	0	0	2-A	A-D	147,354 B	656	216 B	440 B	NA	NA	NA
DELAWARE													
Superior Court	+	+	0	+	2-A	A-D	4,528	281	259	22	3,188	898	161
DISTRICT OF COLUMBIA													
Superior Court	+	0	0	0	2-B	A-D	10,677	[illegible]	737	22	6,401	1,383	1,979
	0	+	0	0	2-B	A-D	17,611	75[illegible]	483	274	5,335	4,136	7,383
FLORIDA													
Circuit Court	+	+	0	+	5-B	A-D	163,923 B	4,791 B	4,202 B	589 B	122,633 B	22,278 B	9,738 B
HAWAII													
Circuit Court	+	+	0	+	1-B	A-D	2,449 C	358 C	261 C	97 C	1,281 C	587 C	223 C
	0	0	+	0	1-B	A-D	271 A	104 A	21 A	83 A	90 A	6 A	71 A
INDIANA													
Superior and Circuit Court	+	0	0	0	7-B	C-E	16,713	2,092	1,009	1,083	10,478	3,566	NA
IOWA													
District Court	+	+	+	+	2-A	A-D	46,963 A	2,023 A	720 A	1,303 A	NA	NA	44,940 A
KANSAS													
District	+	0	0	+	2-E/A	A-D	13,215	769	550	219	7,888	2,879	1,679
	0	+	0	0	2-E/A	A-D	15,407	651	135	516	7,514	5,164	2,078
MAINE													
District	+	+	+	+	2-A	A-D	10,703 B	714 B	543 B	171 B	5,472 B	2,874 B	1,642 B
MARYLAND													
Circuit Court	+	+	0	+	2-A	A-D	52,039 C	4,320 C	1,864 C	2,456 C	NA	NA	NA
MICHIGAN													
Circuit Court	+	0	0	+	2-A	C-E	54,018	5,909	2,433	3,476	31,012	7,239	10,484
MINNESOTA													
District Court	+	0	0	0	2-C	A-D	12,835	696	593	103	NA	109	12,030
	0	+	0	0	2-C	A-D	13,046 B	268 B	226 B	42 B	NA	49 B	12,729 B
MISSOURI													
Circuit Court	+	0	0	0	11-A/C	B-D	18,667 B	2,543 B	783 B	1,760 B	13,144 B	2,085 B	133 B
	0	+	0	0	11-A/C	B-D	2,874 B	729 B	102 B	627 B	1,183 B	861 B	21 B
MONTANA													
District Court	+	+	0	+	7-A	C-E	3,754	362	202	160	2,476	916	NA
NEW JERSEY													
Superior Court	+	0	0	0	2-B	C-E	39,086	2,084	1,925	159	25,204	7,098	NA
NEW YORK													
Supreme and County Court	+	0	+	0	7-A	B-D	64,611 A	4,996 A	4,154 A	842 A	53,700 A	5,523 A	955 A

Table 1: Criminal Dispositions by Casetype for General Jurisdiction Courts, 1988. (continued)

	Casetype												
State/Court name:	F	M	D	O	Unit of Count	Trial definition	Number of dispositions for casetypes described	Number of trials	Number of jury trials	Number of nonjury trials	Number of pleas	Number of dismissals	Number of other dispositions
NORTH CAROLINA													
Superior Court	+	0	0	0	2-A	A-D	53,420 B	NA	2,010 B	NA	33,882 B	15,984 B	1,544 B
NORTH DAKOTA													
District Court	+	+	0	+	2-A	C-E	1,561 B	292 B	58 B	234 B	1,231 B	NA	NA
OHIO													
Court of Common Pleas	+	0	0	0	2-E	A-D	42,604	3,545	1,827	1,718	30,280	4,104	4,170
OKLAHOMA													
District Court	+	0	0	+	9-A	C-E	22,107	1,516	826	690	13,272	7,319	NA
	0	+	0	+	9-A	C-E	27,050	1,440	168	1,272	16,331	7,883	1,396
	0	0	+	0	9-A	C-E	11,716	545	78	467	9,617	1,446	108
OREGON													
Circuit Court	+	0	0	0	5-B	C-E	25,142 A	1,989 A	1,120 A	869 A	NA	NA	NA
PENNSYLVANIA													
Court of Common Pleas	+	+	+	0	2-A/D	C-E	109,698 A	7,868 A	3,413 A	4,455 A	51,242 A	8,951 A	41,637 A
RHODE ISLAND													
Superior Court	+	0	0	0	4-A	C-E	5,488	125	NA	NA	4,634	645	18
	0	+	[illegible]	+	4-A	C-E	878 B	29 B	NA	NA	522 B	204 B	46 B
SOUTH CAROLINA													
Circuit Court	+	+	+	+	2-A	C-E	53,762	1,397	NA	NA	34,173	14,882	3,370
SOUTH DAKOTA													
Circuit Court	+	0	0	0	2-A	A-D	2,994	168	128	40	1,533	1,293	NA
	0	+	+	0	2-A	A-D	164,487	2,279	140	2,139	139,881	22,327	NA
TEXAS													
District Court	+	0	0	0	2-A	A-D	151,098	4,613	3,117	1,496	69,488	26,887	31,879
	0	+	0	0	2-A	A-D	4,276	38	25	13	1,503	997	1,538
VERMONT													
Superior and District Courts	+	0	0	0	2-A	C-E	2,167	76	65	11	1,388	542	10
District Court	0	+	+	+	2-A	C-E	17,233	253	164	89	11,882	4,114	NA
VIRGINIA													
Circuit Court	+	0	0	0	1-A	A-D	50,705	14,360	3,261	11,099	26,150	7,937	2,258
Superior Court	0	+	0	+	1-A	A-D	28,204 B	9,324 B	720 B	8,604 B	10,171 B	7,605 B	1,104 B
WASHINGTON													
Superior Court	+	0	0	+	7-A	A-D	22,792	1,880	1,494	386	15,921	3,528	1,257
WEST VIRGINIA													
Circuit Court	+	0	0	0	9-A	A-D	4,662 B	NA	251 B	NA	NA	NA	4,411 B
	0	+	0	0	9-A	A-D	2,137 B	NA	80 B	NA	NA	NA	2,057 B
	0	0	+	0	9-A	A-D	243 B	NA	27 B	NA	NA	NA	216 B
WISCONSIN													
Circuit Court	+	0	0	0	4-E	A-D	13,260	905	655	250	8,914	2,532	909
	0	+	0	0	4-E	A-D	34,323	765	418	347	22,199	11,029	331
	0	0	+	0	4-E	A-D	18,885 A	513 A	340 A	173 A	15,304 A	2,975 A	93 A
WYOMING													
District Court	+	0	0	+	9-A	A-D	1,427 A	123 A	54 A	69 A	906 A	241 A	157 A

Table 1: Criminal Dispositions by Casetype for General Jurisdiction Courts, 1988. (continued)

Note: An NA indicates that the data are not available or that the calculations are inappropriate. States omitted from this table did not specifically report criminal trial data in sufficient detail. State courts with the possibility of jury trials can be identified in the state court system charts located in Part III of this report.

* = Other dispositions include transfers and other disposition types that are specific to individual states.
NA = Not available.
+ = Data are given for these casetypes.
o = Data do not include these casetypes.

Key:
F = Felony
M = Misdemeanors
D = DWI/DUI
O = Other Criminal

Trial definitions:
A = A jury trial is counted at jury selection, empaneling, or when jury is sworn.
B = A jury trial is counted at introduction of evidence or swearing of first witness.
C = A jury trial is counted at verdict or decision.
D = A nonjury trial is counted when evidence is first introduced or swearing of first witness.
E = A nonjury trial is counted at the decision.

Criminal case use of count codes:
Contents of case (number of defendants/number of charges):
1 = Single defendant/single charge
2 = Single defendant/single incident
3 = Single defendant/single incident (maximum number of charges)
4 = Single defendant/one or more incidents
5 = Single defendant/varies with prosecutor
6 = One or more defendants/single charge
7 = One or more defendants/single incidents
8 = One or more defendants/single incidents (maximum number of charges)
9 = One or more defendants/one or more incidents
10 = One or more defendants/varies with prosecutor
11 = Varies with prosecutor/varies with prosecutor

Point at which case is counted:
A = At the filing of the information or indictment
B = At the filing of the information or complaint
C = At the filing of the complaint (warrant or accusation)
D = At the assigning of a docket number
E = At the arraignment (first appearance)

A: Data are incomplete:
Hawaii--Circuit Court--All criminal casetypes do not include reopened prior cases.
Iowa--District Court--Misdemeanor and DWI/DUI disposed data do not include some cases.
New York--Supreme and County--Criminal disposed data do not include appeals.
Oregon--Circuit Court--Criminal disposed data do not include appeals.
Pennsylvania--Court of Common Pleas--Criminal disposed data do not include some appeal cases.
Wisconsin--Circuit Court--DWI/DUI data does not include Milwaukee County.
Wyoming--District Court--Disposed data do not include criminal appeals.

B: Data are overinclusive:
Colorado--Superior Court--Criminal disposition data include extraditions, revocations, parole, and release from commitment hearings.
Connecticut--Superior Court--Misdemeanor data include ordinance violation cases.
Florida--Circuit Court--Felony data include misdemeanors, DWI/DUI and miscellaneous criminal cases.
Iowa--District Court--Felony data include some DWI/DUI cases.
Maine--Superior Court--Misdemeanor disposition data include some criminal appeal cases. Unclassified criminal include ordinance violations, miscellaneous criminal, and other proceedings.
Minnesota--District Court--Misdemeanor disposition data include ordinance violation and some DWI/DUI cases.
Missouri--Circuit Court--Felony and misdemeanor disposition data include some DWI/DUI cases.
North Carolina--Superior Court--Criminal appeals disposed data include misdemeanor cases.
North Dakota--District Court--Criminal disposed data include other proceedings.
Oklahoma--Felony data include some miscellaneous criminal cases. Misdemeanor data include ordinance violations and some miscellaneous criminal cases.
Rhode Island--Superior Court--Criminal appeals disposed data include misdemeanor and DWI/DUI cases.
Virginia--Circuit Court--Criminal appeals disposed data include misdemeanor and ordinance violation cases.
West Virginia--Circuit Court--Criminal casetypes include postconviction remedy proceedings.

C: Data are incomplete and overinclusive:
Hawaii--Circuit Court--Felony data include misdemeanor cases, but do not include reopened prior cases.
Maryland--Circuit Court--Felony data include misdemeanors but do not include some cases.

PART II Table 2: Civil Dispositions by Casetype for General Jurisdiction Courts, 1988.

State/Court name	Casetype for which trial data given T	C	R	S	D	O	Trial definition	Number of dispositions for casetypes described	Number of trials	Number of jury trials	Number of nonjury trials	Number of defaults	Number of dismissed/settled	Number of other dispositions
ALASKA														
Superior Court	+	+	+	0	0	+	3-5	4,380 B	264 B	61 B	203 B	273 B	2,100 B	1,356 B
ARIZONA														
Superior Court	+	+	+	0	0	+	1-4	54,132	1,548	526	1,022	11,010	NA	863
CALIFORNIA														
Superior Court	+	0	0	0	0	0	1-4	103,822	4,031	1,610	2,421	NA	NA	99,791
	0	0	+	0	0	0	1-4	795	135	40	95	NA	NA	660
	0	+	0	0	+	+	1-4	162,893	49,904	NA	NA	NA	NA	NA
COLORADO														
District Court	+	+	+	0	0	+	1-4	65,135	1,643	567	1,076	NA	NA	NA
CONNECTICUT														
Superior Court	+	+	+	0	0	+	1-4	47,487	1,393	508	885	NA	NA	NA
DELAWARE														
Superior Court	+	+	+	0	0	+	1-4	4,491	125	77	48	458	3,486	423
DISTRICT OF COLUMBIA														
Superior Court	+	+	0	0	0	+	3-5	12,458	194	99	95	NA	NA	NA
FLORIDA														
Circuit Court	+	0	0	0	0	0	1-4	33,411	1,903	1,575	328	6,822	23,093	1,593
	0	+	0	0	0	0	1-4	54,529	2,306	448	1,858	23,507	25,55[illegible]	3,161
	0	0	+	0	0	0	1-4	51,062	1,880	98	1,782	28,999	19,05[illegible]	1,126
	0	0	0	0	0	+	1-4	101,765 B	948 B	200 B	748 B	11,064 B	11,07[illegible] B	2,252 B
HAWAII														
Circuit Court	+	0	0	0	0	0	1-4	1,635 A	46 A	31 A	15 A	30 A	1,376 A	161 A
	0	+	0	0	0	0	1-4	1,554 A	27 A	8 A	19 A	230 A	1,023 A	213 A
	0	0	+	0	0	0	1-4	247 A	1 A	1 A	0 A	0 A	106 A	126 A
	0	0	0	0	0	+	1-4	5,039 A	54 A	16 A	38 A	117 A	1,366 A	1,358 A
INDIANA														
Superior and Circuit Court	+	+	+	0	0	+	3-5	53,109 A	10,555 A	577 A	9,978 A	13,933 A	20,967 A	7,654 A
IOWA														
District Court	+	+	+	0	+	+	3-5	56,586 C	5,913 C	578 C	5,335 C	NA	NA	50,670 C
KANSAS														
District Court	+	+	+	0	0	+	1-4	81,027	4,767	455	4,312	34,695	36,063	5,912
MAINE														
Superior Court	+	+	+	0	+	+	1-4	6,361 A	374 A	252 A	122 A	110 A	3,582 A	1,903 A
MARYLAND														
Circuit Court	+	+	+	0	+	+	1-4	97,772	8,879	1,287	7,592	NA	NA	NA
MASSACHUSETTS														
Superior Court	+	0	0	0	0	0	1-4	17,767 A	1,155 A	406 A	749 A	NA	12,765 A	3,847 A
	0	+	0	0	0	0	1-4	5,646	580	78	502	NA	4,052	1,014
	0	0	+	0	0	0	1-4	2,382 A	357 A	37 A	320 A	NA	1,926 A	99 A
MICHIGAN														
Circuit Court	+	0	0	0	0	0	3-5	35,531	1,159	1,020	139	5,892	22,206	6,274
	0	+	+	0	0	+	3-5	45,931	1,005	298	707	10,918	22,360	11,648
MINNESOTA														
District Court	+	0	0	0	0	0	1-4	10,807	1,756	481	1,274	NA	3,025	3,538
	0	+	0	0	0	0	1-4	8,899	496	122	374	NA	2,966	4,131
	0	0	+	0	0	0	1-4	17,353	395	81	314	NA	9,492	NA
	0	0	0	0	0	+	1-4	40,940	444	113	331	NA	4,734	6,786

Table 2: Civil Dispositions by Casetype for General Jurisdiction Courts, 1988. (continued)

MISSOURI														
Circuit Court	+	+	+	0	0	+	1-4	143,747	27,788	928	26,860	60,304	53,137	2,518
	0	0	0	+	0	0	1-4	19,600	7,606	0	7,606	5,044	6,767	183
MONTANA														
District Court	+	+	+	0	+	+	3-5	18,020 A	5,643 A	NA	5,643 A	799 A	2,887 A	8,691 A
NEW JERSEY														
Superior Court	+	+	+	+	0	+	3-5	509,104	38,147	2,234	35,913	217,661	248,568	4,728
NEW YORK														
Supreme Court and County Crt	+	+	+	0	+	+	3-5	114,916 C	11,960 C	5,180 C	6,780 C	NA	NA	NA
NORTH CAROLINA														
Superior Court	+	+	+	0	0	+	1-4	15,685	3,174	896	2,278	962	8,702	2,847
NORTH DAKOTA														
District Court	+	+	+	0	+	+	3-5	18,776	2,430	79	2,351	10,988	NA	NA
OHIO														
Court of Common Pleas	+	0	0	0	0	0	1-4	29,302 A	2,128 A	936 A	1,192 A	1,174 A	21,088 A	4,912 A
	0	+	+	0	0	+	1-4	59,932 A	11,129 A	455 A	10,674 A	13,960 A	29,263 A	5,580 A
OKLAHOMA														
District Court	+	+	+	0	0	0	3-5	64,828	15,957	724	15,233	23,369	25,502	NA
	0	0	0	+	0	0	3-5	74,467	26,221	3	26,218	36,667	11,579	NA
OREGON														
Circuit Court	+	+	+	0	0	0	1-4	26,378 B	1,549 B	956 B	593 B	NA	NA	NA
PENNSYLVANIA														
Court of Common Pleas	+	+	+	0	0	+	3-5	34,124 A	3,762 A	1,513 A	2,249 A	NA	22,979 A	7,383 A
RHODE ISLAND														
Superior Court	+	+	+	0	0	+	3-5	2,449	210	108	102	NA	1,906	NA
SOUTH DAKOTA														
Circuit Court	+	+	+	0	0	+	1-4	10,637	694	121	573	7,934	NA	2,009
	0	0	0	+	0	0	1-4	18,856	2,475	NA	2,475	16,381	NA	NA
TEXAS														
District Court	+	0	0	0	0	0	1-4	40,674	5,461	1,592	3,869	1,271	18,692	15,250
	0	+	0	0	0	0	1-4	55,878	5,332	535	4,797	13,682	27,996	8,868
	0	0	+	0	0	0	1-4	439	85	9	76	29	187	138
	0	0	0	0	0	+	1-4	127,450	16,901	1,266	15,635	13,905	68,027	28,617
VERMONT														
Superior Court	+	+	+	0	0	+	3-5	5,189	752	76	676	2,011	2,529	NA
VIRGINIA														
Circuit Court	+	+	+	0	0	+	1-4	54,511	10,301	1,573	8,728	3,521	24,490	16,199
WASHINGTON														
Superior Court	+	0	0	0	0	0	1-4	10,888	700	501	199	544	9,560	84
	0	+	0	0	0	0	1-4	13,237	452	51	401	3,709	8,985	91
	0	0	+	0	0	0	1-4	13,192	320	19	301	7,258	5,597	17
	0	0	0	0	0	+	1-4	19,843	257	34	223	6,157	13,346	83
WEST VIRGINIA														
Circuit Court	+	+	+	0	+	+	1-4	38,652	NA	509	NA	NA	NA	38,143
WISCONSIN														
Circuit Court	+	0	0	0	0	0	1-4	16,949	928	692	236	NA	7,087	8,934
	0	+	0	0	0	0	1-4	64,340	1,632	203	1,429	NA	25,416	37,292
	0	0	0	+	0	0	1-4	211,613	5,897	29	5,868	NA	15,443	190,273
	0	0	0	0	0	+	1-4	46,471	2,367	152	2,215	NA	16,583	27,521
WYOMING														
District Court	+	+	+	0	+	+	1-4	8,819 B	2,508 B	48 B	2,460 B	2,916 B	2,479 B	916 B

Table 2: Civil Dispositions by Casetype for General Jurisdiction Courts, 1988. (continued)

Note: All available data are entered in the table and all appropriate calculations are included. An NA indicates that the data are not available, or calculations are inappropriate.

A civil case is counted when it has reached issue.

Casetypes:

T = Tort
C = Contract
R = Real Property
D = Domestic Relations
S = Small Claims
O = Other Civil

NA = Not available.
+ = Data are given for these casetypes.
o = Data do not include these casetypes.

Trial definition:
1 = A jury trial is counted at jury selection, empaneling, or when the jury is sworn.
2 = A jury trial is counted at introduction of evidence or swearing of first witness.
3 = A jury trial is counted at verdict or decision.
4 = A nonjury trial is counted when first evidence is introduced or first witness is sworn.
5 = A nonjury trial is counted when the decision is made.
* = Other dispositions include transfers, arbitrations, and categories that are specific to individual states.

A: Data are not complete:
Hawaii–Circuit Court–All casetypes do not include some cases reported as reopened prior cases.
Indiana--Superior Court and Circuit Court--All civil case disposition figures do not include some cases reported as "redocketed" in Indiana.
Maine–Superior Court–Domestic relations do not include support/custody (which is not counted separately from marriage dissolution) or paternity/bastardy cases. Civil appeals do not include administrative agency appeals.
Massachusetts–Trial Court of Commonwealth–Tort data do not include data from Boston Municipal and District Court Departments. Real property rights disposed data do not include summary process and civil cases from the Housing Court Department.
Montana–District Court–Total civil data do not include some trial court appeals.
Ohio–Disposition data are missing wrongful death torts and miscellaneous civil cases.
Pennsylvania–Court of Common Pleas–Civil data do not include arbitration cases.

B: Data are overinclusive:
Alaska–Superior Court–Unclassified civil disposed data include tort, contract, real property, miscellaneous civil cases, and postconviction remedies.
Florida--Circuit Court–Unclassified civil data include miscellaneous civil cases.
Oregon--Circuit Court–Civil disposed data include postconviction remedy proceedings.
Wyoming--District Court--Juvenile cases and criminal appeals are included in the civil data.

C: Data are incomplete and overinclusive:
Iowa–District Court--Civil disposed data include postconviction remedy proceedings, but do not include some miscellaneous domestic relations cases.
New York--Supreme and County Court–Civil data include postconviction remedy proceedings, but do not include trial court appeals.

Part III
1988 State Court Caseload Tables

TABLE 1: Reported National Caseload for State Appellate Courts, 1988

Reported Caseload	Filed	Disposed
Courts of last resort:		
I. Mandatory jurisdiction cases:		
A. Number of reported complete cases	18,641	15,103
Number of courts reporting complete data	34	24
Number of states with courts of last resort reporting complete mandatory jurisdiction data	33	23
Percent of the total population of states with mandatory jurisdiction represented by complete data	61%	51%
B. Number of reported complete cases that include some discretionary petitions	5,555	6,969
Number of courts reporting complete data with some discretionary petitions	10	13
Number of states with courts of last resort reporting complete mandatory jurisdiction data that include some discretionary petitions	10	13
Percent of the total population of states with mandatory jurisdiction represented by complete data that include some discretionary petitions	18%	12%
C. Number of reported cases that are either incomplete, or incomplete and include some discretionary petitions	1,359	1,144
Number of courts reporting incomplete data, or incomplete and include some discretionary petitions	4	4
Number of states with courts of last resort reporting either incomplete mandatory jurisdiction data or data that are both incomplete and include some discretionary petitions	4	4
Percent of the total population of states with mandatory jurisdiction represented by incomplete data, or incomplete and include some discretionary petitions	14%	14%
II. Discretionary jurisdiction petitions:		
A. Number of reported complete petitions	35,824	28,870
Number of courts reporting complete petitions	36	29
Number of states with courts of last resort reporting complete discretionary jurisdiction petitions	35	28
Percent of the total population of states with discretionary jurisdiction represented by complete data	79%	67%
B. Number of reported complete petitions that include some mandatory cases	1,018	6,832
Number of courts reporting complete petitions with some mandatory cases	1	5
Number of states with courts of last resort reporting complete petitions that include some mandatory cases	1	5
Percent of the total population of states with discretionary jurisdiction represented by complete data that include some mandatory cases	1%	11%
C. Number of reported petitions that are either incomplete, or incomplete and include some mandatory cases	4,845	2,879
Number of courts reporting incomplete petitions, or incomplete and include some mandatory cases	8	6
Number of states with courts of last resort reporting either incomplete petitions or incomplete and include some mandatory cases	3	6
Percent of the total population of states with discretionary jurisdiction represented by incomplete data, or incomplete and include some mandatory cases	14%	9%

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TABLE 1: Reported National Caseload for State Appellate Courts, 1988. (continued)

Reported Caseload	Filed	Disposed
Intermediate appellate courts:		
I. Mandatory jurisdiction cases:		
A. Number of reported complete cases	84,309	77,449
Number of courts reporting complete data	31	26
Number of states with intermediate appellate courts reporting complete mandatory jurisdiction data	29	25
Percent of the total population of states with mandatory jurisdiction represented by complete data	62%	56%
B. Number of reported complete cases that include some discretionary cases	48,734	56,364
Number of courts reporting complete data with some discretionary petitions	10	14
Number of states with intermediate appellate courts reporting complete data that include some discretionary petitions	9	11
Percent of the total population of states with mandatory jurisdiction represented by complete data that include some discretionary petitions	32%	33%
C. Number of reported cases that are either incomplete, or incomplete and include some discretionary petitions	3,164	0
Number of courts reporting data that are either incomplete, or incomplete and include some discretionary petitions	1	0
Number of states with intermediate appellate courts reporting data that are either incomplete, or incomplete and include some discretionary petitions	1	0
Percent of the total population of states with mandatory jurisdiction represented by data that are either incomplete, or incomplete and include some discretionary petitions	5%	0%
II. Discretionary jurisdiction petitions:		
A. Number of reported complete petitions	18,014	15,252
Number of courts reporting complete petitions	20	13
Number of states with intermediate appellate courts reporting complete discretionary jurisdiction petitions	19	13
Percent of the total population of states with discretionary jurisdiction represented by complete data	49%	37%
B. Number of reported complete petitions that include some mandatory cases	0	1,454
Number of courts reporting complete petitions that include some mandatory cases	0	1
Number of states with intermediate appellate courts reporting complete petitions that include some mandatory cases	0	1
Percent of the total population of states with discretionary jurisdiction represented by complete data that include some mandatory cases	0%	2%
C. Number of reported petitions that are either incomplete, or incomplete and include some mandatory cases	331	365
Number of courts reporting incomplete data, or incomplete and include some mandatory cases	1	2
Number of states with intermediate appellate courts reporting either incomplete petitions or incomplete and include some mandatory cases	1	2
Percent of the total population of states with discretionary jurisdiction represented by incomplete data, or incomplete and include some mandatory cases	2%	4%

Summary section for all appellate courts:

	Reported filings		
	COLR	IAC	Total
A. Number of reported complete cases/petitions	54,465	102,323	156,788
B. Number of reported complete cases/petitions that include other case types	6,573	48,734	55,307
C. Number of reported cases/petitions that are either incomplete, or incomplete and include other casetypes	6,204	3,495	9,699
Total	67,242	154,552	221,794

TABLE 2: Reported Total Caseload for All State Appellate Courts, 1988

TOTAL CASES FILED

				Sum of mandatory cases and discretionary petitions filed		Sum of mandatory cases and discretionary petitions filed granted	
State/Court name:	Total mandatory cases filed	Total discretionary petitions filed	Total discretionary petitions filed granted	Number	Filed per judge	Number	Filed per judge
States with one court of last resort and one intermediate appellate court							
ALASKA							
Supreme Court	363	244	29	607	121	392	78
Court of Appeals	435	62	NA	497	166		
State Total	798	306		1,104	138		
ARIZONA							
Supreme Court	112 A	1,018 B	NA	1,130	226		
Court of Appeals	3,902	60	NA	3,962	220		
State Total	4,014 *	1,078 *		5,092	221		
ARKANSAS							
Supreme Court	400 C	(C)	NA	400	57		
Court of Appeals	899	NJ	NJ	899	150	899	150
State Total	1,299 *			1,299	100		
CALIFORNIA							
Supreme Court	319 A	4,351	222 A	4,670	667	541	77
Courts of Appeal	10,954	7,005	599	17,959	204	11,553	131
State Total	11,273 *	11,356	821 *	22,629	238	12,094	127
COLORADO							
Supreme Court	197	825	NA	1,022	146		
Court of Appeals	1,946	NJ	NJ	1,946	150	1,946	150
State Total	2,143	825		2,968	148		
CONNECTICUT							
Supreme Court	86	162 A	NA	248	35		
Appellate Court	995	98	NA	1,093	121		
State Total	1,081	260 *		1,341	84		
FLORIDA							
Supreme Court	510	1,316	NA	1,826	261		
District Courts of Appeal	14,195	2,285	NA	16,480	358		
State Total	14,705	3,601		18,306	345		
GEORGIA							
Supreme Court	639 B	998	146 A	1,637	234	785	112
Court of Appeals	2,306 B	717	(B)	3,023	336	2,306	256
State Total	2,945 *	1,715		4,660	291	3,091	193

TOTAL CASES DISPOSED

State/Court name:	Total mandatory cases disposed	Total discretionary petitions disposed	Total discretionary petitions granted disposed	Sum of mandatory cases and discretionary petitions disposed	Sum of mandatory cases and discretionary petitions granted disposed	Court type	Point at which cases are counted
States with one court of last resort and one intermediate appellate court							
ALASKA							
Supreme Court	394	255	NA	649		COLR	1
Court of Appeals	403	66	23	469	426	IAC	1
State Total	797	321		1,118			
ARIZONA							
Supreme Court	79 A	905 B	61 B	984	140	COLR	6
Court of Appeals	3,240	63	NA	3,303		IAC	6
State Total	3,319 *	968 *		4,287			
ARKANSAS							
Supreme Court	457 C	(C)	(C)	457	457	COLR	2
Court of Appeals	827	NJ	NJ	827	827	IAC	2
State Total	1,284 *			1,284	1,284		
CALIFORNIA							
Supreme Court	101 A	4,052	NA	4,153		COLR	6
Courts of Appeal	10,577	7,334	NA	17,911	·	IAC	2
State Total	10,678 *	11,386		22,064			
COLORADO							
Supreme Court	(B)	1,001 B	NA	1,001		COLR	1
Court of Appeals	2,028	NJ	NJ	2,028	2,028	IAC	1
State Total		1,001 *		3,029			
CONNECTICUT							
Supreme Court	(C)	278 C	NA	278		COLR	1
Appellate Court	1,026	NA	NA			IAC	1
State Total							
FLORIDA							
Supreme Court	534	1,426	NA	1,960		COLR	1
District Courts of Appeal	13,559	1,839	NA	15,398		IAC	1
State Total	14,093	3,265		17,358			
GEORGIA							
Supreme Court	(B)	1,615 B	NA	1,615		COLR	2
Court of Appeals	1,986 B	683	(B)	2,669	1,986	IAC	2
State Total		2,298 *		4,284			

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TABLE 2: Reported Total Caseload for All State Appellate Courts, 1988. (continued)

	TOTAL CASES FILED						
				Sum of mandatory cases and discretionary petitions filed		Sum of mandatory cases and discretionary petitions filed granted	
State/Court name:	Total mandatory cases filed	Total discretionary petitions filed	Total discretionary petitions filed granted	Number	Filed per judge	Number	Filed per judge
HAWAII							
Supreme Court	715	45	10	760	152	725	145
Intermediate Court of Appeals	120	NJ	NJ	120	40	120	40
State Total	835	45	10	880	110	845	106
IDAHO							
Supreme Court	382 B	76	NA	458	92		
Court of Appeals	227	NJ	NJ	227	76	227	76
State Total	609 *	76		685	86		
ILLINOIS							
Supreme Court	882	1,558	210	2,440	349	1,092	156
Appellate Court	8,119 B	(B)	NA	8,119	239		
State Total	9,001 *			10,559	258		
INDIANA							
Supreme Court	NA	NA	NA				
Court of Appeals	1,146	76	39	1,222	102	1,185	99
State Total							
IOWA							
Supreme Court	801 B	371 A	NA	1,172	130		
Court of Appeals	728	NJ	NJ	728	121	728	121
State Total	1,529 *	371 *		1,900	127		
KANSAS							
Supreme Court	347	NA	133			480	69
Court of Appeals	1,176 B	(B)	NA	1,176	118		
State Total	1,523 *						
KENTUCKY							
Supreme Court	258	686 A	NA	944	135		
Court of Appeals	2,665	92	NA	2,757	197		
State Total	2,923	778 *		3,701	176		
LOUISIANA							
Supreme Court **	124	2,657	395	2,781	397	519	74
Courts of Appeal	3,967	3,877	1,136	7,844	163	5,103	106
State Total	4,091	6,534	1,531	10,625	193	5,622	102

TOTAL CASES DISPOSED

State/Court name:	Total mandatory cases disposed	Total discretionary petitions disposed	Total discretionary petitions granted disposed	Sum of mandatory cases and discretionary petitions disposed	Sum of mandatory cases and discretionary petitions granted disposed	Court type	Point at which cases are counted
HAWAII							
Supreme Court	609 B	42	(B)	651	609	COLR	2
Intermediate Court of Appeals	129	NJ	NJ	129	129	IAC	2
State Total	738 *	42		780	738		
IDAHO							
Supreme Court	332 B	84	(B)	416	332	COLR	1
Court of Appeals	162	NJ	NJ	162	162	IAC	4
State Total	494 *	84		578	494		
ILLINOIS							
Supreme Court	911	1,482	153	2,393	1,064	COLR	1
Appellate Court	7,648 B	(B)	NA	7,648		IAC	1
State Total	8,559 *			10,041			
INDIANA							
Supreme Court	380	494	36	874	416	COLR	6
Court of Appeals	1,062	75	38	1,137	1,100	IAC	6
State Total	1,442	569	74	2,011	1,516		
IOWA							
Supreme Court	899 B	291 A	51 A	1,190	950	COLR	1
Court of Appeals	669	NJ	NJ	669	669	IAC	4
State Total	1,568 *	291 *	51 *	1,859	1,619		
KANSAS							
Supreme Court	459	NA	NA			COLR	5
Court of Appeals	1,174 B	(B)	NA	1,174		IAC	5
State Total	1,633 *						
KENTUCKY							
Supreme Court	302	678 A	NA	980		COLR	6
Court of Appeals	2,243	77	NA	2,320		IAC	3
State Total	2,545	755 *		3,300			
LOUISIANA							
Supreme Court **	132	2,320	411	2,452	543	COLR	2
Courts of Appeal	3,429	3,802	1,156	7,231	4,585	IAC	2
State Total	3,561	6,122	1,567	9,683	5,128		

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TABLE 2: Reported Total Caseload for All State Appellate Courts, 1988. (continued)

	TOTAL CASES FILED						
				Sum of mandatory cases and discretionary petitions filed		Sum of mandatory cases and discretionary petitions filed granted	
State/Court name:	Total mandatory cases filed	Total discretionary petitions filed	Total discretionary petitions filed granted	Number	Filed per judge	Number	Filed per judge
MARYLAND							
Court of Appeals	242 B	682	140	924	132	382	55
Court of Special Appeals	1,754	220	22	1,974	152	1,776	137
State Total	1,996 *	902	162	2,898	145	2,158	108
MASSACHUSETTS							
Supreme Judicial Court	96	563	196	659	94	292	42
Appeals Court	1,394 B	886	NA	2,280	228		
State Total	1,490 *	1,449		2,939	173		
MICHIGAN							
Supreme Court	4	2,662	79	2,666	381	83	12
Court of Appeals	8,559 B	(B)	NA	8,559	476		
State Total	8,563 *			11,225	449		
MINNESOTA							
Supreme Court	271	651	137	922	132	408	58
Court of Appeals	2,065	331 A	116 A	2,396	184	2,181	168
State Total	2,336	982 *	253 *	3,318	166	2,589	129
MISSOURI							
Supreme Court	63	1,056	114	1,119	160	177	25
Court of Appeals	3,315	NJ	NJ	3,315	104	3,315	104
State Total	3,378	1,056	114	4,434	114	3,492	90
NEW JERSEY							
Supreme Court	357	1,354 A	126 A	1,711	244	483	69
Appellate Div. Superior Court	6,458 B	NA	(B)			6,458	231
State Total	6,815 *					6,941	198
NEW MEXICO							
Supreme Court	1,076	252	40	1,328	266	1,116	223
Court of Appeals	648	64	15	712	102	663	95
State Total	1,724	316	55	2,040	170	1,779	148
NORTH CAROLINA							
Supreme Court	147	636	57	783	112	204	29
Court of Appeals	1,351 B	446	71	1,797	150	1,422	119
State Total	1,498 *	1,082	128	2,580	136	1,626	86

TOTAL CASES DISPOSED

State/Court name:	Total mandatory cases disposed	Total discretionary petitions disposed	Total discretionary petitions granted disposed	Sum of mandatory cases and discretionary petitions disposed	Sum of mandatory cases and discretionary petitions granted disposed	Court type	Point at which cases are counted
MARYLAND							
Court of Appeals	183 B	776	NA	959		COLR	2
Court of Special Appeals	1,762	220	NA	1,982		IAC	2
State Total	1,945 *	996		2,941			
MASSACHUSETTS							
Supreme Judicial Court	(B)	NA	288 B		288	COLR	2
Appeals Court	NA	NA	NA			IAC	2
State Total							
MICHIGAN							
Supreme Court	(B)	2,254 B	NA	2,254		COLR	1
Court of Appeals	8,497 B	(B)	NA	8,497		IAC	1
State Total				10,751			
MINNESOTA							
Supreme Court	250	586	117	836	367	COLR	1
Court of Appeals	1,949	330 A	122 A	2,279	2,071	IAC	1
State Total	2,199	916 *	239 *	3,115	2,438		
MISSOURI							
Supreme Court	60	1,064	177	1,124	237	COLR	1
Court of Appeals	3,145	NJ	NJ	3,145	3,145	IAC	1
State Total	3,205	1,064	177	4,269	3,382		
NEW JERSEY							
Supreme Court	349	1,398 A	NA	1,747		COLR	1
Appellate Div. Superior Court	6,494 B	NA	(B)		6,494	IAC	1
State Total	6,843 *						
NEW MEXICO							
Supreme Court	NA	NA	NA			COLR	5
Court of Appeals	690 B	(B)	NA	690		IAC	5
State Total							
NORTH CAROLINA							
Supreme Court	213	727	62	940	275	COLR	2
Court of Appeals	1,272 B	446	(B)	1,718	1,272	IAC	2
State Total	1,485 *	1,173		2,658	1,547		

(continued on next page)

TABLE 2: Reported Total Caseload for All State Appellate Courts, 1988. (continued)

TOTAL CASES FILED

				Sum of mandatory cases and discretionary petitions filed		Sum of mandatory cases and discretionary petitions filed granted	
State/Court name:	Total mandatory cases filed	Total discretionary petitions filed	Total discretionary petitions filed granted	Number	Filed per judge	Number	Filed per judge
NORTH DAKOTA							
Supreme Court	367	6	0	373	75	367	73
Court of Appeals	9	NJ	NJ	9		9	
State Total	376	6	0	382	76	376	75
OHIO							
Supreme Court	500	1,770	203	2,270	324	703	100
Court of Appeals	10,005	NJ	NJ	10,005	173	10,005	173
State Total	10,505	1,770	203	12,275	189	10,708	165
OREGON							
Supreme Court	192	857	121	1,049	150	313	45
Court of Appeals	3,739	NJ	NJ	3,739	374	3,739	374
State Total	3,931	857	121	4,788	282	4,052	238
SOUTH CAROLINA							
Supreme Court	624	26 A	26			650	130
Court of Appeals	307	NJ	NJ	307	51	307	51
State Total	931	26 *	26	957	87	957	87
UTAH							
Supreme Court	443	61	NA	504	101		
Court of Appeals	721	20	NA	741	106		
State Total	1,164	81		1,245	104		
VIRGINIA							
Supreme Court	NA	1,439	192				
Court of Appeals	455	1,291	250 A	1,746	175	705	71
State Total		2,730	442 *				
WASHINGTON							
Supreme Court	123 B	947 A	NA	1,070	119		
Court of Appeals	3,157	372	NA	3,529	221		
State Total	3,280 *	1,319 *		4,599	184		
WISCONSIN							
Supreme Court	NJ	915	181	915	131	181	26
Court of Appeals	2,147	228	NA	2,375	183		
State Total	2,147	1,143		3,290	165		

TOTAL CASES DISPOSED

State/Court name:	Total mandatory cases disposed	Total discretionary petitions disposed	Total discretionary petitions granted disposed	Sum of mandatory cases and discretionary petitions disposed	Sum of mandatory cases and discretionary petitions granted disposed	Court type	Point at which cases are counted
NORTH DAKOTA							
Supreme Court	405	5	0	410	405	COLR	1
Court of Appeals	13	NJ	NJ	13	13	IAC	
State Total	418	5	0	423	418		
OHIO							
Supreme Court	462	1,621	151	2,083	613	COLR	1
Court of Appeals	9,668	NJ	NJ	9,668	9,668	IAC	1
State Total	10,130	1,621	151	11,751	10,281		
OREGON							
Supreme Court	322 B	871	(B)	1,193	322	COLR	1
Court of Appeals	3,985	NJ	NJ	3,985	3,985	IAC	1
State Total	4,307 *	871		5,178	4,307		
SOUTH CAROLINA							
Supreme Court	385 B	(B)	NA	385		COLR	2
Court of Appeals	367	NJ	NJ	367	367	IAC	4
State Total	752 *			752			
UTAH							
Supreme Court	617 B	(B)	NA	617		COLR	1
Court of Appeals	637 B	(B)	NA	637		IAC	1
State Total	1,254 *			1,254			
VIRGINIA							
Supreme Court	NA	1,655	NA			COLR	1
Court of Appeals	(B)	1,454 B	NA	1,454		IAC	1
State Total		3,109 *					
WASHINGTON							
Supreme Court	154 B	1,060 A	84	1,214	238	COLR	1
Court of Appeals	3,289	388	NA	3,677		IAC	1
State Total	3,443 *	1,448 *		4,891			
WISCONSIN							
Supreme Court	NJ	866	184	866	184	COLR	5
Court of Appeals	2,368	162	NA	2,530		IAC	1
State Total	2,368	1,028		3,396			

(continued on next page)

TABLE 2: Reported Total Caseload for All State Appellate Courts, 1988. (continued)

	TOTAL CASES FILED						
				Sum of mandatory cases and discretionary petitions filed		Sum of mandatory cases and discretionary petitions filed granted	
State/Court name:	Total mandatory cases filed	Total discretionary petitions filed	Total discretionary petitions filed granted	Number	Filed per judge	Number	Filed per judge
	States with no intermediate appellate court						
DELAWARE							
Supreme Court	473 B	4 A	NA	477	95		
DISTRICT OF COLUMBIA							
Court of Appeals	1,624	61	9	1,685	187	1,633	181
MAINE							
Supreme Judicial Court	528 C	(C)	NA	528	75		
MISSISSIPPI							
Supreme Court	919	0	NA	919	102		
MONTANA							
Supreme Court	597	31	NA	628	90		
NEBRASKA							
Supreme Court	1,103 B	(B)	NA	1,103	158		
NEVADA							
Supreme Court	991	NJ	NJ	991	198	991	198
NEW HAMPSHIRE							
Supreme Court	NJ	504	NA	504	101		
RHODE ISLAND							
Supreme Court	410	189	NA	599	120		
SOUTH DAKOTA							
Supreme Court	428 B	35 A	NA	463	93		
VERMONT							
Supreme Court	620	32	NA	652	130		
WEST VIRGINIA							
Supreme Court of Appeals	NJ	1,621	789	1,621	324	789	158
WYOMING							
Supreme Court	357	NJ	NJ	357	71	357	71

TOTAL CASES DISPOSED

State/Court name:	Total mandatory cases disposed	Total discretionary petitions disposed	Total discretionary petitions granted disposed	Sum of mandatory cases and discretionary petitions disposed	Sum of mandatory cases and discretionary petitions granted disposed	Court type	Point at which cases are counted
States with no intermediate appellate court							
DELAWARE Supreme Court	407 B	3 A	NA	410		COLR	1
DISTRICT OF COLUMBIA Court of Appeals	1,602	65	4	1,667	1,606	COLR	1
MAINE Supreme Judicial Court	507 C	(C)	NA	507		COLR	1
MISSISSIPPI Supreme Court	793	0	0	793	793	COLR	2
MONTANA Supreme Court	655 B	(B)	NA	655		COLR	1
NEBRASKA Supreme Court	1,094 B	(B)	NA	1,094		COLR	1
NEVADA Supreme Court	922	NJ	NJ	922	922	COLR	2
NEW HAMPSHIRE Supreme Court	NJ	543	NA	543		COLR	1
RHODE ISLAND Supreme Court	403	178	NA	581		COLR	1
SOUTH DAKOTA Supreme Court	463 B	(B)	NA	463		COLR	2
VERMONT Supreme Court	593	32	NA	625		COLR	1
WEST VIRGINIA Supreme Court of Appeals	NJ	1,775	756	1,775	756	COLR	1
WYOMING Supreme Court	334	NJ	NJ	334	334	COLR	1

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TABLE 2: Reported Total Caseload for All State Appellate Courts, 1988. (continued)

				TOTAL CASES FILED			
				Sum of mandatory cases and discretionary petitions filed		Sum of mandatory cases and discretionary petitions filed granted	
State/Court name:	Total mandatory cases filed	Total discretionary petitions filed	Total discretionary petitions filed granted	Number	Filed per judge	Number	Filed per judge
States with multiple appellate courts at any level							
ALABAMA							
Supreme Court	829	765	NA	1,594	177		
Court of Civil Appeals	529	NJ	NJ	529	176	529	176
Court of Criminal Appeals	1,784	NJ	NJ	1,784	357	1,784	357
State Total	3,142	765		3,907	230		
NEW YORK							
Court of Appeals	324 B	4,280	NA	4,604	658		
Appellate Div. of the Supreme Court	10,740 B	(B)	NA	10,740	229		
Appellate Terms of the Supreme Crt.	2,192 B	(B)	NA	2,192	146		
State Total	13,256 *			17,536	254		
OKLAHOMA							
Supreme Court	809	295	64	1,104	123	873	97
Court of Criminal Appeals	1,046 B	(B)	82	1,046	349	1,128	376
Court of Appeals	1,362	NJ	NJ	1,362	114	1,362	114
State Total	3,217 *		146	3,512	146	3,363	140
PENNSYLVANIA							
Supreme Court	121	2,207 C	230 C	2,328	333	351	50
Superior Court	6,439 B	NA	(B)			6,439	429
Commonwealth Court	3,164 A	45	NA	3,209	357		
State Total	9,724 *						
TENNESSEE							
Supreme Court	161	820	64	981	196	225	45
Court of Appeals	994	103	12	1,097	91	1,006	84
Court of Criminal Appeals	889	67	25	956	106	914	102
State Total	2,044	990	101	3,034	117	2,145	83
TEXAS							
Supreme Court	3	1,243	175	1,246	138	178	20
Court of Criminal Appeals	3,578	1,416	307	4,994	555	3,885	432
Courts of Appeals	8,250	NJ	NJ	8,250	103	8,250	103
State Total	11,831	2,659	482	14,490	148	12,313	126

TOTAL CASES DISPOSED

State/Court name:	Total mandatory cases disposed	Total discretionary petitions disposed	Total discretionary petitions granted disposed	Sum of mandatory cases and discretionary petitions disposed	Sum of mandatory cases and discretionary petitions granted disposed	Court type	Point at which cases are counted
States with multiple appellate courts at any level							
ALABAMA							
Supreme Court	994	603	NA	1,597		COLR	1
Court of Civil Appeals	576	NJ	NJ	576	576	IAC	1
Court of Criminal Appeals	1,774	NJ	NJ	1,774	1,774	IAC	1
State Total	3,344	603		3,947			
NEW YORK							
Court of Appeals	369	3,392	160	3,761	529	COLR	1
Appellate Div. of the Supreme Court	13,225 B	(B)	NA	13,225		IAC	2
Appellate Terms of the Supreme Crt.	2,124 B	(B)	NA	2,124		IAC	2
State Total	15,718 *			19,110			
OKLAHOMA							
Supreme Court	852 B	231 A	NA	1,083		COLR	1
Court of Criminal Appeals	693	291	NA	984		COLR	2
Court of Appeals	1,215	NJ	NJ	1,215	1,215	IAC	4
State Total	2,760 *	522 *		3,282			
PENNSYLVANIA							
Supreme Court	NA	NA	NA			COLR	6
Superior Court	6,416 B	NA	(B)		6,416	IAC	1
Commonwealth Court	4,392 B	(B)	NA	4,392		IAC	1
State Total							
TENNESSEE							
Supreme Court	(B)	1,057 B	NA	1,057		COLR	1
Court of Appeals	1,015 B	97	NA	1,112		IAC	1
Court of Criminal Appeals	794 B	35 A	NA	829		IAC	1
State Total		1,189 *		2,998			
TEXAS							
Supreme Court	3	1,168	120	1,171	123	COLR	1
Court of Criminal Appeals	3,546	1,437	233	4,983	3,779	COLR	5
Courts of Appeals	7,984	NJ	NJ	7,984	7,984	IAC	1
State Total	11,533	2,605	353	14,138	11,886		

Table 2: Reported total caseload for all state appellate courts, 1988. (continued)

COURT TYPE:

COLR = Court of last resort
IAC = Intermediate appellate court

POINTS AT WHICH CASES ARE COUNTED:

1 = At the notice of appeal
2 = At the filing of trial record
3 = At the filing of trial record and complete briefs
4 = At transfer
5 = Other
6 = Varies

NOTE: NA indicates that the data are unavailable. Blank spaces indicate that a calculation is inappropriate.

NJ = This case type is not handled in this court.
– = Inapplicable

( ) = **Mandatory** and **discretionary jurisdiction** cases cannot be separately identified. Data are reported within the jurisdiction where the court has the majority of its caseload.

QUALIFYING FOOTNOTES:

An absence of a qualifying footnote indicates that the data are complete.

*See the qualifying footnote for each court within the state. Each footnote will have impact on the state's total.

**Total discretionary petitions filed, granted, and disposed in the Louisiana Supreme Court do not include 224 writs that were granted and transferred.

A: The following courts' data are incomplete:
Arizona–Supreme Court--Data do not include **mandatory judge disciplinary** cases.
California–Supreme Court--Total **mandatory filed** data do not include **mandatory judge disciplinary** cases. **Mandatory** disposed data do not include **disciplinary** cases which are estimated to make the total less than 75% complete. Total **discretionary petitions** granted do not include **original proceedings** and **administrative agency** cases.
Connecticut–Supreme Court--Data do not include some **unclassified appeals** and **judge disciplinary** cases.
Delaware–Supreme Court--Data do not include some **discretionary interlocutory decision** cases, which are reported with **mandatory jurisdiction** cases.
Georgia--Supreme Court--**Discretionary petitions** granted do not include **interlocutory decisions.**
Iowa–Supreme Court--Data do not include **discretionary petitions** that were dismissed by the court, which are reported with **mandatory jurisdiction** cases. **Discretionary petitions** granted and disposed do not include some **discretionary original proceedings.**
Kentucky–Supreme Court–Data do not include some **discretionary unclassified petitions.**
Minnesota--Court of Appeals--Total **discretionary petitions** do not include **discretionary petitions of final judgments** that were denied. Total **discretionary petitions** granted do not include "other" **discretionary petitions** granted.
New Jersey–Supreme Court–Data do not include **discretionary interlocutory decisions.**
Oklahoma--Supreme Court--Disposed data do not include some **discretionary petitions** which are reported with **mandatory jurisdiction** cases.
Pennsylvania–Commonwealth Court–Filed **mandatory jurisdiction** cases do not include transfers from the Superior Court and the Court of Common Pleas.
South Carolina--Supreme Court–Filed data do not include **discretionary petitions** that were denied or otherwise dismissed/withdrawn, or settled.
South Dakota--Supreme Court–Data do not include **advisory opinions** reported with **mandatory jurisdiction** cases.
Virginia--Court of Appeals--Filed data do not include **original proceeding petitions** granted.
Washington–Supreme Court--Data do not include some **discretionary petitions.**

B: The following courts' data are overinclusive:
Arizona–Supreme Court--Data include **mandatory judge disciplinary** cases.
Colorado–Supreme Court--Disposed data include **mandatory jurisdiction** cases.
Delaware–Supreme Court--Data include some **discretionary petitions** and filed data include **discretionary petitions** that were granted.
Georgia--Supreme Court–Total **mandatory filed** data include a few **discretionary petitions that were granted** and refiled as appeals. **Discretionary petitions** disposed data represent some double counting because they include all **mandatory appeals** and **discretionary petitions granted** that are refiled as a **mandatory** case.
–Court of Appeals--Total **mandatory** data include all **discretionary petitions that were granted** and refiled as **appeals.**
Hawaii–Supreme Court--Data include a few **discretionary petitions granted.**
Idaho--Supreme Court–Data include **discretionary petitions** reviewed on the merits. **Mandatory** disposed data include petitions granted disposed.
Illinois–Appellate Court–Data include all **discretionary petitions.**
Iowa–Supreme Court--Data include some **discretionary petitions** that were dismissed by the Court.
Kansas--Court of Appeals--Data include all **discretionary petitions.**
Maryland--Court of Appeals–Data include **discretionary petitions that were granted** and refiled as **appeals.**
Massachusetts--Supreme Court–Disposed data include all **mandatory** appeals disposed.
–Appeals Court–Data include all **discretionary petitions.**
Michigan–Supreme Court–Disposed data include **mandatory jurisdiction** cases.
–Court of Appeals--Total **mandatory** data include **discretionary petitions.**
Montana–Supreme Court–**Mandatory** cases disposed include all **discretionary petitions.**
Nebraska–Supreme Court--Data include all **discretionary petitions.**
New Jersey–Appellate Division of Superior Court–Data include all **discretionary petitions that were granted.**
New Mexico–Court of Appeals--Disposed data include all **discretionary petitions.**
New York–Appellate Divisions of Supreme Court–Data include all **discretionary petitions.**
–Appellate Terms of Supreme Court–Data include all **discretionary petitions.**
North Carolina--Court of Appeals--**Mandatory** filed data include **discretionary petitions that were granted** and refiled as appeals.
Oklahoma--Supreme Court–Disposed data include some **discretionary petitions.**
–Court of Criminal Appeals--**Mandatory** filed data include all **discretionary petitions.**

Oregon--Supreme Court--Disposed data include all **discretionary petitions that were granted.**

Pennsylvania--Superior Court--Data include all **discretionary petitions that were granted.**
 --Commonwealth Court--Disposed data include all **discretionary petitions.**

South Carolina--Supreme Court--Disposed data include all **discretionary petitions** that were disposed.

South Dakota--Filed data include **discretionary advisory opinions. Mandatory jurisdiction** dispositions include all **discretionary petitions.**

Tennessee--Supreme Court--**Discretionary petitions** disposed data include all **mandatory jurisdiction** cases.
 --Court of Criminal Appeals--**Mandatory jurisdiction** disposed data include some **discretionary petitions.**

Utah--Supreme Court--Disposed data include all **discretionary petitions.**
 --Court of Appeals--Disposed data include all **discretionary petitions.**

Virginia--Court of Appeals--**Discretionary petitions** disposed data include all **mandatory jurisdiction** cases.

Washington--Supreme Court--Data include some **discretionary petitions.**

C: The following courts' data are both incomplete and overinclusive:

Arkansas--Supreme Court--Data include a few **discretionary petitions,** but do not include **mandatory attorney disciplinary** cases and **certified questions from the federal courts.**

Connecticut--Supreme Court--Disposed data include **mandatory** cases, but do not include some unclassified **appeals** and **judge disciplinary** cases.

Maine--Supreme Judicial Court Sitting as Law Court--Total **mandatory jurisdiction** data include **discretionary petitions** but do not include **mandatory disciplinary** and **advisory opinion** cases.

Pennsylvania--Supreme Court--Total **discretionary jurisdiction** filed data include non-case motions, but do not include **original proceeding petitions.**

TABLE 3: Selected Caseload and Processing Measures for Mandatory Cases in State Appellate Courts, 1988

State/Court name:	Court type	Filed	Disposed	Disposed as a percent of filed	Number of judges	Filed per judge	Filed per 100,000 population
States with one court of last resort and one intermediate appellate court							
ALASKA							
Supreme Court	COLR	363	394	109	5	73	69
Court of Appeals	IAC	435	403	93	3	145	83
State Total		798	797	100	8	100	153
ARIZONA							
Supreme Court	COLR	112 A	79 A	71	5	22	3
Court of Appeals	IAC	3,902	3,240	83	18	217	112
State Total		4,014 *	3,319 *	83	23	175	115
ARKANSAS							
Supreme Court	COLR	400 C	457 C	114	7	57	17
Court of Appeals	IAC	899	827	92	6	150	38
State Total		1,299 *	1,284 *	99	13	100	54
CALIFORNIA							
Supreme Court	COLR	319 A	101 A	32	7	46	1
Courts of Appeal	IAC	10,954	10,577	97	88	124	39
State Total		11,273 *	10,678 *	95	95	119	40
COLORADO							
Supreme Court	COLR	197	(B)		7	28	6
Court of Appeals	IAC	1,946	2,028	104	13	150	59
State Total		2,143	2,028		20	107	65
CONNECTICUT							
Supreme Court	COLR	86	NA		7	12	3
Appellate Court	IAC	995	1,026	103	9	111	31
State Total		1,081			16	68	33
FLORIDA							
Supreme Court	COLR	510	534	105	7	73	4
District Courts of Appeal	IAC	14,195	13,559	96	46	309	115
State Total		14,705	14,093	96	53	277	119
GEORGIA							
Supreme Court	COLR	639 B	(B)		7	91	10
Court of Appeals	IAC	2,306 B	1,986 B	86	9	256	36
State Total		2,945 *	1,986 *		16	184	46
HAWAII							
Supreme Court	COLR	715 B	609 B	85	5	143	65
Intermediate Court of Appeals	IAC	120	129	108	3	40	11
State Total		835 *	738 *	88	8	104	76

(continued on next page)

TABLE 3: Selected Caseload and Processing Measures for Mandatory Cases in State Appellate Courts, 1988. (continued)

State/Court name:	Court type	Filed	Disposed	Disposed as a percent of filed	Number of judges	Filed per judge	Filed per 100,000 population
IDAHO							
Supreme Court	COLR	382 B	332 B	87	5	76	38
Court of Appeals	IAC	227	162	71	3	76	23
State Total		609 •	494 •	81	8	76	61
ILLINOIS							
Supreme Court	COLR	882	911	103	7	126	8
Appellate Court	IAC	8,119 B	7,648 B	94	34	239	70
State Total		9,001 •	8,559 •	95	41	220	78
INDIANA							
Supreme Court	COLR	NA	380		5		
Court of Appeals	IAC	1,146	1,062	93	12	96	21
State Total			1,442		17		
IOWA							
Supreme Court	COLR	801 B	899 B	112	9	89	28
Court of Appeals	IAC	728	669	92	6	121	26
State Total		1,529 •	1,568 •	103	15	102	54
KANSAS							
Supreme Court	COLR	347	459	132	7	50	14
Court of Appeals	IAC	1,176 B	1,174 B	100	10	118	47
State Total		1,523 •	1,633 •	107	17	90	61
KENTUCKY							
Supreme Court	COLR	258	302	117	7	37	7
Court of Appeals	IAC	2,665	2,243	84	14	190	72
State Total		2,923	2,545	87	21	139	78
LOUISIANA							
Supreme Court	COLR	124	132	106	7	18	3
Courts of Appeal	IAC	3,967	3,429	86	48	83	90
State Total		4,091	3,561	87	55	74	93
MARYLAND							
Court of Appeals	COLR	242 B	183 B	76	7	35	5
Court of Special Appeals	IAC	1,754	1,762	100	13	135	38
State Total		1,996 •	1,945 •	97	20	100	43
MASSACHUSETTS							
Supreme Judicial Court	COLR	96	(B)		7	14	2
Appeals Court	IAC	1,394 B	NA		10	139	24
State Total		1,490 •			17	88	25
MICHIGAN							
Supreme Court	COLR	4	(B)		7	1	0
Court of Appeals	IAC	8,559 B	8,497 B	99	18	476	93
State Total		8,563 •	8,497 •		25	343	93

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TABLE 3: Selected Caseload and Processing Measures for Mandatory Cases
In State Appellate Courts, 1988 (continued)

State/Court name:	Court type	Filed	Disposed	Disposed as a percent of filed	Number of judges	Filed per judge	Filed per 100,000 population
MINNESOTA							
Supreme Court	COLR	271	250	92	7	39	6
Court of Appeals	IAC	2,065	1,949	94	13	159	48
State Total		2,336	2,199	94	20	117	54
MISSOURI							
Supreme Court	COLR	63	60	95	7	9	1
Court of Appeals	IAC	3,315	3,145	95	32	104	64
State Total		3,378	3,205	95	39	87	66
NEW JERSEY							
Supreme Court	COLR	357	349	98	7	51	5
Appellate Div. Superior Court	IAC	6,458 B	6,494 B	101	28	231	84
State Total		6,815 *	6,843 *	100	35	195	88
NEW MEXICO							
Supreme Court	COLR	1,076	NA		5	215	71
Court of Appeals	IAC	648	690 B		7	93	43
State Total		1,724			12	144	114
NORTH CAROLINA							
Supreme Court	COLR	147	213	145	7	21	2
Court of Appeals	IAC	1,351 B	1,272 B	94	12	113	21
State Total		1,498 *	1,485 *	99	19	79	23
NORTH DAKOTA							
Supreme Court	COLR	367	405	110	5	73	55
Court of Appeals	IAC	9	13	144	0		1
State Total		376	418	111	5	75	56
OHIO							
Supreme Court	COLR	500	462	92	7	71	5
Court of Appeals	IAC	10,005	9,668	97	58	173	92
State Total		10,505	10,130	96	65	162	97
OREGON							
Supreme Court	COLR	192	322 B		7	27	7
Court of Appeals	IAC	3,739	3,985	107	10	374	135
State Total		3,931	4,307 *		17	231	142
SOUTH CAROLINA							
Supreme Court	COLR	624	385 B		5	125	18
Court of Appeals	IAC	307	367	120	6	51	9
State Total		931	752 *		11	85	27
UTAH							
Supreme Court	COLR	443	617 B		5	89	26
Court of Appeals	IAC	721	637 B		7	103	43
State Total		1,164	1,254 *		12	97	69

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TABLE 3: Selected Caseload and Processing Measures for Mandatory Cases in State Appellate Courts, 1988. (continued)

State/Court name:	Court type	Filed	Disposed	Disposed as a percent of filed	Number of judges	Filed per judge	Filed per 100,000 population
VIRGINIA							
Supreme Court	COLR	NA	NA		7		
Court of Appeals	IAC	455	(B)		10	46	8
State Total					17		
WASHINGTON							
Supreme Court	COLR	123 B	154 B	125	9	14	3
Court of Appeals	IAC	3,157	3,289	104	16	197	68
State Total		3,280 *	3,443 *	105	25	131	71
WISCONSIN							
Supreme Court	COLR	NJ	NJ		7		
Court of Appeals	IAC	2,147	2,368	110	13	165	44
State Total		2,147	2,368	110	20	107	44
States with no intermediate appellate court							
DELAWARE							
Supreme Court	COLR	473 B	407 B	86	5	95	72
DISTRICT OF COLUMBIA							
Court of Appeals	COLR	1,624	1,602	99	9	180	263
MAINE							
Supreme Judicial Court	COLR	528 C	507 C	96	7	75	44
MISSISSIPPI							
Supreme Court	COLR	919	793	86	9	102	35
MONTANA							
Supreme Court	COLR	597	655 B		7	85	74
NEBRASKA							
Supreme Court	COLR	1,103 B	1,094 B	99	7	158	69
NEVADA							
Supreme Court	COLR	991	922	93	5	198	94
NEW HAMPSHIRE							
Supreme Court	COLR	NJ	NJ		5		
RHODE ISLAND							
Supreme Court	COLR	410	403	98	5	82	41
SOUTH DAKOTA							
Supreme Court	COLR	428 B	463 B	108	5	86	60
VERMONT							
Supreme Court	COLR	620	593	96	5	124	111

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TABLE 3: Selected Caseload and Processing Measures for Mandatory Cases in State Appellate Courts, 1988. (continued)

State/Court name:	Court type	Filed	Disposed	Disposed as a percent of filed	Number of judges	Filed per judge	Filed per 100,000 population
WEST VIRGINIA							
Supreme Court of Appeals	COLR	NJ	NJ		5		
WYOMING							
Supreme Court	COLR	357	334	94	5	71	75
States with multiple appellate courts at any level							
ALABAMA							
Supreme Court	COLR	829	994	120	9	92	20
Court of Civil Appeals	IAC	529	576	109	3	176	13
Court of Criminal Appeals	IAC	1,784	1,774	99	5	357	43
State Total		3,142	3,344	106	17	185	77
NEW YORK							
Court of Appeals	COLR	324 B	369 B	114	7	46	2
Appellate Div. of the Supreme Court	IAC	10,740 B	13,225 B	123	47	229	60
Appellate Terms of the Supreme Crt.	IAC	2,192 B	2,124 B	97	15	146	12
State Total		13,256 *	15,718 *	119	69	192	74
OKLAHOMA							
Supreme Court	COLR	809	852 B		9	90	25
Court of Criminal Appeals	COLR	1,046 B	693		3	349	32
Court of Appeals	IAC	1,362	1,215	89	12	114	42
State Total		3,217 *	2,760 *		24	134	99
PENNSYLVANIA							
Supreme Court	COLR	121	NA		7	17	1
Superior Court	IAC	6,439 B	6,416 B	100	15	429	54
Commonwealth Court	IAC	3,164 A	4,392 B		9	352	26
State Total		9,724 *			31	314	81
TENNESSEE							
Supreme Court	COLR	161	NA		5	32	3
Court of Appeals	IAC	994	1,015 B		12	83	20
Court of Criminal Appeals	IAC	889	794 B		9	99	18
State Total		2,044			26	79	42
TEXAS							
Supreme Court	COLR	3	3	100	9	0	0
Court of Criminal Appeals	COLR	3,578	3,546	99	9	398	21
Courts of Appeals	IAC	8,250	7,984	97	80	103	49
State Total		11,831	11,533	97	98	121	70

TABLE 3: Selected Caseload and Processing Measures for Mandatory Cases in State Appellate Courts, 1988. (continued)

COURT TYPE:

COLR = Court of Last Resort
IAC = Intermediate Appellate Court

NOTE: NA indicates that the data are unavailable. Blank spaces indicate that a calculation is inappropriate.

NJ = This case type is not handled in this court
-- = Inapplicable

(B): **Mandatory jurisdiction** cases cannot be separately identified and are reported with **discretionary petitions**. (See Table 4)

QUALIFYING FOOTNOTES:

The absence of a qualifying footnote indicates that data are complete.

*See the qualifying footnote written for each court in the state. Each footnote has an impact on the state total.

A: The following courts' data are incomplete:

- Arizona--Supreme Court--Data do not include **judge disciplinary** cases.
- California--Supreme Court--Filed data do not include **judge disciplinary** cases. Discretionary disposed data do not include **disciplinary** cases, which are estimated to make the total less than 75% complete.
- Pennsylvania--Commonwealth Court--Filed data do not include transfers from the Superior Court and the Court of Common Pleas.

B: The following courts' data are overinclusive:

- Delaware--Supreme Court--Data include some **discretionary petitions** and **discretionary petitions** that were granted.
- Georgia--Supreme Court--**Mandatory jurisdiction** filed data include **discretionary petitions that were granted** and refiled as appeals.
  - --Court of Appeals--**Mandatory jurisdiction** data include **discretionary petitions that were granted** and refiled as appeals.
- Hawaii--Supreme Court--Data include **discretionary petitions that were granted**, and refiled as appeals.
- Idaho--Supreme Court--Data include **discretionary petitions** reviewed on the merits. Disposed data include petitions granted disposed.
- Illinois--Appellate Court--Data include **discretionary petitions**.
- Iowa--Supreme Court--Filed data include **discretionary original proceedings**. Disposed data include some **discretionary** cases that were dismissed.
- Kansas--Court of Appeals--Data include all **discretionary cases**.
- Maryland--Court of Appeals--Data include **discretionary petitions that were granted** and refiled as appeals.
- Massachusetts--Appeals Court--Filed data include a small number of **discretionary interlocutory decision petitions**.
- Michigan--Court of Appeals--Data include **discretionary petitions**.
- Montana--Supreme Court--Disposed data include all **discretionary petitions**.
- Nebraska--Supreme Court--Data include all **discretionary petitions**.
- New Jersey--Appellate Division of Superior Court--Data include **discretionary petitions that were granted**.
- New Mexico--Court of Appeals--Disposed data include **discretionary petitions**.
- New York--Court of Appeals--Data include **granted discretionary petitions** that were disposed.
  - --Appellate Divisions of Supreme Court--Data include **discretionary petitions**.
  - --Appellate Terms of Supreme Court--Data include **discretionary petitions**.
- North Carolina--Court of Appeals--Data include **discretionary petitions that were granted**, and refiled as appeals.
- Oklahoma--Supreme Court--Disposed data include **granted discretionary petitions** that were disposed.
  - --Court of Criminal Appeals--Filed data include all **discretionary jurisdiction** cases.
- Oregon--Supreme Court--Disposed data include **discretionary petitions that were granted**.
- Pennsylvania--Superior Court--Data include all **discretionary petitions that were granted**.
  - --Commonwealth Court--Disposed data include **discretionary petitions**.
- South Carolina--Supreme Court--Disposed data include all **discretionary petitions** that were disposed.
- South Dakota--Supreme Court--Disposed data include all **discretionary jurisdiction** cases. Filed data include **advisory opinions**.
- Tennessee--Court of Criminal Appeals--Data include **some discretionary petitions**.
  - --Court of Appeals--Disposed data include some **discretionary petitions**.
- Utah--Supreme Court--Disposed data include **discretionary petitions**.
- Washington--Supreme Court--Data include some **discretionary petitions**.

C: The following courts' data are both incomplete and overinclusive:

- Arkansas--Supreme Court--Data include a few **discretionary petitions**, but do not include **mandatory attorney disciplinary cases** and **certified questions from the federal courts**.
- Maine--Supreme Judicial Court Sitting as Law Court--Data include **discretionary petition** cases, but do not include **mandatory disciplinary** and **advisory opinion** cases.

TABLE 4: Selected Caseload and Processing Measures for Discretionary Petitions In State Appellate Courts, 1988

State/Court name:	Court type	Filed	Disposed	Disposed as a percent of filed	Number of judges	Filed per judge	Filed per 100,000 population
States with one court of last resort and one intermediate appellate court							
ALASKA							
Supreme Court	COLR	244	255	105	5	49	47
Court of Appeals	IAC	62	66	106	3	21	12
State Total		306	321	105	8	38	59
ARIZONA							
Supreme Court	COLR	1,018 B	905 B	89	5	204	29
Court of Appeals	IAC	60	63	105	18	3	2
State Total		1,078 *	968 *	90	23	47	31
ARKANSAS							
Supreme Court	COLR	(C)	(C)		7		
Court of Appeals	IAC	NJ	NJ		6		
State Total					13		
CALIFORNIA							
Supreme Court	COLR	4,351	4,052	93	7	622	15
Courts of Appeal	IAC	7,005	7,334	105	88	80	25
State Total		11,356	11,386	100	95	120	40
COLORADO							
Supreme Court	COLR	825	1,001 B		7	118	25
Court of Appeals	IAC	NJ	NJ		13		
State Total		825	1,001 *		20	41	25
CONNECTICUT							
Supreme Court	COLR	162 A	278 C		7	23	5
Appellate Court	IAC	98	NA		9	11	3
State Total		260 *			16	16	8
FLORIDA							
Supreme Court	COLR	1,316	1,426	108	7	188	11
District Courts of Appeal	IAC	2,285	1,839	80	46	50	19
State Total		3,601	3,265	91	53	68	29
GEORGIA							
Supreme Court	COLR	998	1,615 B		7	143	16
Court of Appeals	IAC	717	683	95	9	80	11
State Total		1,715	2,298 *		16	107	27
HAWAII							
Supreme Court	COLR	45	42	93	5	9	4
Intermediate Court of Appeals	IAC	NJ	NJ		3		
State Total		45	42	93	8	6	4

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TABLE 4: Selected Caseload and Processing Measures for Discretionary Petitions in State Appellate Courts, 1988 (continued)

State/Court name:	Court type	Filed	Disposed	Disposed as a percent of filed	Number of judges	Filed per judge	Filed per 100,000 population
IDAHO							
Supreme Court	COLR	76	84	111	5	15	8
Court of Appeals	IAC	NJ	NJ		3		
State Total		76	84	111	8	10	8
ILLINOIS							
Supreme Court	COLR	1,558	1,482	95	7	223	13
Appellate Court	IAC	(B)	(B)		34		
State Total					41		
INDIANA							
Supreme Court	COLR	NA	494		5		
Court of Appeals	IAC	76	75	99	12	6	1
State Total			569		17		
IOWA							
Supreme Court	COLR	371 A	291 A	78	9	41	13
Court of Appeals	IAC	NJ	NJ		6		
State Total		371 *	291 *	78	15	25	13
KANSAS							
Supreme Court	COLR	NA	NA		7		
Court of Appeals	IAC	(B)	(B)		10		
State Total					17		
KENTUCKY							
Supreme Court	COLR	686 A	678 A	99	7	98	18
Court of Appeals	IAC	92	77	84	14	7	2
State Total		778 *	755 *	97	21	37	21
LOUISIANA							
Supreme Court	COLR	2,657	2,320	87	7	380	60
Courts of Appeal	IAC	3,877	3,802	98	48	81	88
State Total		6,534	6,122	94	55	119	148
MARYLAND							
Court of Appeals	COLR	682	776	114	7	97	15
Court of Special Appeals	IAC	220	220	100	13	17	5
State Total		902	996	110	20	45	20
MASSACHUSETTS							
Supreme Judicial Court	COLR	563	NA		7	80	10
Appeals Court	IAC	886	NA		10	89	15
State Total		1,449			17	85	25
MICHIGAN							
Supreme Court	COLR	2,662	2,254 B		7	380	29
Court of Appeals	IAC	(B)	(B)		18		
State Total					25		

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TABLE 4: Selected Caseload and Processing Measures for Discretionary Petitions in State Appellate Courts, 1988 (continued)

State/Court name:	Court type	Filed	Disposed	Disposed as a percent of filed	Number of judges	Filed per judge	Filed per 100,000 population
MINNESOTA							
Supreme Court	COLR	651	586	90	7	93	15
Court of Appeals	IAC	331 A	330 A	100	13	25	8
State Total		982 *	916 *	93	20	49	23
MISSOURI							
Supreme Court	COLR	1,056	1,064	101	7	151	21
Court of Appeals	IAC	NJ	NJ		32		
State Total		1,056	1,064	101	39	27	21
NEW JERSEY							
Supreme Court	COLR	1,354 A	1,398 A	103	7	193	18
Appellate Div. Superior Court	IAC	NA	NA		28		
State Total					35		
NEW MEXICO							
Supreme Court	COLR	252	NA		5	50	17
Court of Appeals	IAC	64	(B)		7	9	4
State Total		316			12	26	21
NORTH CAROLINA							
Supreme Court	COLR	636	727	114	7	91	10
Court of Appeals	IAC	446	446	100	12	37	7
State Total		1,082	1,173	108	19	57	17
NORTH DAKOTA							
Supreme Court	COLR	6	5	83	5	1	1
Court of Appeals	IAC	NJ	NJ		0		
State Total		6	5	83	5	1	1
OHIO							
Supreme Court	COLR	1,770	1,621	92	7	253	16
Court of Appeals	IAC	NJ	NJ		58		
State Total		1,770	1,621	92	65	27	16
OREGON							
Supreme Court	COLR	857	871	102	7	122	31
Court of Appeals	IAC	NJ	NJ		10		
State Total		857	871	102	17	50	31
SOUTH CAROLINA							
Supreme Court	COLR	26 A	(B)		5	5	1
Court of Appeals	IAC	NJ	NJ		6		
State Total		26 *			11	2	1
UTAH							
Supreme Court	COLR	61	(B)		5	12	4
Court of Appeals	IAC	20	(B)		7	3	1
State Total		81			12	7	5

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TABLE 4: Selected Caseload and Processing Measures for Discretionary Petitions
in State Appellate Courts, 1988 (continued)

State/Court name:	Court type	Filed	Disposed	Disposed as a percent of filed	Number of judges	Filed per judge	Filed per 100,000 population
VIRGINIA							
Supreme Court	COLR	1,439	1,655	115	7	206	24
Court of Appeals	IAC	1,291	1,454 B		10	129	21
State Total		2,730	3,109 *		17	161	45
WASHINGTON							
Supreme Court	COLR	947 A	1,060 A	112	9	105	20
Court of Appeals	IAC	372	388	104	16	23	8
State Total		1,319 *	1,448 *	110	25	53	28
WISCONSIN							
Supreme Court	COLR	915	866	95	7	131	19
Court of Appeals	IAC	228	162	71	13	18	5
State Total		1,143	1,028	90	20	57	24
States with no intermediate appellate court							
DELAWARE							
Supreme Court	COLR	4 A	3 A	75	5	1	1
DISTRICT OF COLUMBIA							
Court of Appeals	COLR	61	65	107	8	8	10
MAINE							
Supreme Judicial Court	COLR	(B)	(B)		7		
MISSISSIPPI							
Supreme Court	COLR	0	0		9		
MONTANA							
Supreme Court	COLR	31	(B)		7	4	4
NEBRASKA							
Supreme Court	COLR	(B)	(B)		7		
NEVADA							
Supreme Court	COLR	NJ	NJ		5		
NEW HAMPSHIRE							
Supreme Court	COLR	504	543	108	5	101	46
RHODE ISLAND							
Supreme Court	COLR	189	178	94	5	38	19
SOUTH DAKOTA							
Supreme Court	COLR	35 A	(B)		5	7	5
VERMONT							
Supreme Court	COLR	32	32	100	5	6	6

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TABLE 4: Selected Caseload and Processing Measures for Discretionary Petitions in State Appellate Courts, 1988 (continued)

State/Court name:	Court type	Filed	Disposed	Disposed as a percent of filed	Number of judges	Filed per judge	Filed per 100,000 population
WEST VIRGINIA							
Supreme Court of Appeals	COLR	1,621	1,775	110	5	324	86
WYOMING							
Supreme Court	COLR	NJ	NJ		5		
States with multiple appellate courts at any level							
ALABAMA							
Supreme Court	COLR	765	603	79	9	85	19
Court of Civil Appeals	IAC	NJ	NJ		3		
Court of Criminal Appeals	IAC	NJ	NJ		5		
State Total		765	603	79	17	45	19
NEW YORK							
Court of Appeals	COLR	4,280	3,392	79	7	611	24
Appellate Div. of the Supreme Court	IAC	(B)	(B)		47		
Appellate Terms of the Supreme Crt.	IAC	(B)	(B)		15		
State Total					69		
OKLAHOMA							
Supreme Court	COLR	295	231 A		9	33	9
Court of Criminal Appeals	COLR	(B)	291		3		
Court of Appeals	IAC	NJ	NJ		12		
State Total			522 *		24		
PENNSYLVANIA							
Supreme Court	COLR	2,207 C	NA		7	315	18
Superior Court	IAC	NA	NA		15		
Commonwealth Court	IAC	45	(B)		9	5	0
State Total					31		
TENNESSEE							
Supreme Court	COLR	820	1,057 B		5	164	17
Court of Appeals	IAC	103	97	94	12	9	2
Court of Criminal Appeals	IAC	67	35 A		9	7	1
State Total		990	1,189 *		26	38	20
TEXAS							
Supreme Court	COLR	1,243	1,168	94	9	138	7
Court of Criminal Appeals	COLR	1,416	1,437	101	9	157	8
Courts of Appeals	IAC	NJ	NJ		80		
State Total		2,659	2,605	98	98	27	16

TABLE 4: Selected Caseload and Processing Measures for Discretionary Petitions in State Appellate Courts, 1988. (continued)

COURT TYPE:

COLR = Court of Last Resort
IAC = Intermediate Appellate Court

NOTE: NA indicates that the data are unavailable. Blank spaces indicate that a calcuation is inappropriate.

NJ = This case type is not handled in this court
– = Inapplicable

(B): **Discretionary petitions** cannot be separately identified and are reported with **mandatory** cases. (See Table 3)

QUALIFYING FOOTNOTES:

The absence of a qualifying footnote indicates that data are complete.

*See the qualifying footnote written for each court in the state. Each footnote has an impact on the state's total.

A: The following courts' data are incomplete:
- Connecticut–Supreme Court–Filed data do not include **disciplinary** cases.
- Delaware–Supreme Court–Data do not include some **discretionary interlocutory petitions** and some **discretionary advisory opinions**.
- Iowa–Supreme Court–Data do not include **discretionary** cases that were dismissed by the court.
- Kentucky–Supreme Court–Data do not include some **discretionary unclassified petitions**.
- Minnesota–Court of Appeals–Data do not include **petitions of final judgments** that were denied.
- New Jersey–Supreme Court–Data do not include **discretionary interlocutory petitions**.
- Oklahoma–Supreme Court–Disposed data do not include **discretionary petitions granted** and disposed.
- South Carolina–Supreme Court–Filed data do not include **discretionary petitions** that were denied or otherwise dismissed/withdrawn, or settled.
- South Dakota–Supreme Court–Filed data do not include **advisory opinions** which are reported with **mandatory jurisdiction** cases.
- Tennessee–Court of Criminal Appeals–Disposed data do not include some cases which are reported with **mandatory jurisdiction** cases.
- Washington–Supreme Court–Data do not include some cases which are reported with **mandatory jurisdiction** cases.

B: The following courts' data are overinclusive:
- Arizona–Supreme Court–Data include **mandatory judge disciplinary** cases.
- Colorado–Supreme Court–Disposed data include all **mandatory jurisdiction** cases.
- Georgia–Supreme Court–Disposed data include all **mandatory jurisdiction** cases and **discretionary petitions granted**, that are refiled as a **mandatory** case.
- Michigan–Supreme Court–Disposed data include **mandatory jurisdiction** cases.
- Tennessee–Supreme Court–Disposed data include all **mandatory jurisdiction** cases.
- Virginia–Court of Appeals–Disposed data include all **mandatory jurisdiction** cases.

C: The following courts' data are both incomplete and overinclusive:
- Connecticut–Supreme Court–Disposed data include **mandatory** cases, but do not include some unclassified appeals and **judge disciplinary** cases.
- Pennsylvania–Supreme Court–Filed data include non-case motions that could not be separated, but do not include original proceeding petitions.

TABLE 5: Selected Caseload and Processing Measures for Discretionary Petitions Granted In State Appellate Courts, 1988

State/Court name:	Court type	Discretionary petitions: filed	filed granted	granted disposed	Granted as a percent of filed	Disposed as a percent of granted	Number of judges	Filed granted per judge
States with one court of last resort and one intermediate appellate court								
ALASKA								
Supreme Court	COLR	244	29	NA	12		5	6
Court of Appeals	IAC	62	NA	23			3	
State Total		306						
ARIZONA								
Supreme Court	COLR	1,018 B	NA	61 B			5	
Court of Appeals	IAC	60	NA	NA			18	
State Total		1,078 *						
ARKANSAS								
Supreme Court	COLR	NA	NA	NA			7	
Court of Appeals	IAC	NJ	NJ	NJ			6	
State Total								
CALIFORNIA								
Supreme Court	COLR	4,351	222 A	NA			7	32
Courts of Appeal	IAC	7,005	599	NA	9		88	7
State Total		11,356	821 *					
COLORADO								
Supreme Court	COLR	825	NA	NA			7	
Court of Appeals	IAC	NJ	NJ	NJ			13	
State Total		825						
CONNECTICUT								
Supreme Court	COLR	162 A	NA	NA			7	
Appellate Court	IAC	98	NA	NA			9	
State Total		260 *						
FLORIDA								
Supreme Court	COLR	1,316	NA	NA			7	
District Courts of Appeal	IAC	2,285	NA	NA			46	
State Total		3,601						
GEORGIA								
Supreme Court	COLR	998	146	NA	15		7	21
Court of Appeals	IAC	717	NA	NA			9	
State Total		1,715						
HAWAII								
Supreme Court	COLR	45	10	NA	22		5	2
Intermediate Court of Appeals	IAC	NJ	NJ	NJ			3	
State Total		45	10		22			

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TABLE 5: Selected Caseload and Processing Measures for Discretionary Petitions Granted in State Appellate Courts, 1988 (continued)

		Discretionary petitions:						
State/Court name:	Court type	filed	filed granted	granted disposed	Granted as a percent of filed	Disposed as a percent of granted	Number of judges	Filed granted per judge
IDAHO								
Supreme Court	COLR	76	NA	NA			5	
Court of Appeals	IAC	NJ	NJ	NJ			3	
State Total		76						
ILLINOIS								
Supreme Court	COLR	1,558	210	153	13	73	7	30
Appellate Court	IAC	NA	NA	NA			34	
State Total								
INDIANA								
Supreme Court	COLR	NA	NA	36			5	
Court of Appeals	IAC	76	39	38	51	97	12	3
State Total				74				
IOWA								
Supreme Court	COLR	371 A	NA	51 A			9	
Court of Appeals	IAC	NJ	NJ	NJ			6	
State Total		371 *		51 *				
KANSAS								
Supreme Court	COLR	NA	133	NA			7	19
Court of Appeals	IAC	NA	NA	NA			10	
State Total								
KENTUCKY								
Supreme Court	COLR	686 A	NA	NA			7	
Court of Appeals	IAC	92	NA	NA			14	
State Total		778 *						
LOUISIANA								
Supreme Court	COLR	2,657	395	411	15	104	7	56
Courts of Appeal	IAC	3,877	1136	1156	29	102	48	24
State Total		6,534	1,531	1,567	23	102	55	28
MARYLAND								
Court of Appeals	COLR	682	140	NA	21		7	20
Court of Special Appeals	IAC	220	22	NA	10		13	2
State Total		902	162		18			
MASSACHUSETTS								
Supreme Judicial Court	COLR	563	196	288 B	35		7	28
Appeals Court	IAC	886	NA	NA			10	
State Total		1,449						
MICHIGAN								
Supreme Court	COLR	2,662	79	NA	3		7	11
Court of Appeals	IAC	NA	NA	NA			18	
State Total								

(continued on next page)

TABLE 5: Selected Caseload and Processing Measures for Discretionary Petitions Granted in State Appellate Courts, 1988 (continued)

State/Court name:	Court type	Discretionary petitions: filed	Discretionary petitions: filed granted	Discretionary petitions: granted disposed	Granted as a percent of filed	Disposed as a percent of granted	Number of judges	Filed granted per judge
MINNESOTA								
Supreme Court	COLR	651	137	117	21	85	7	20
Court of Appeals	IAC	331 A	116 A	122 A	35	105	13	9
State Total		982 *	253 *	239 *	26	94	20	13
MISSOURI								
Supreme Court	COLR	1,056	114	177	11	155	7	16
Court of Appeals	IAC	NJ	NJ	NJ			32	
State Total		1,056	114	177	11	155		
NEW JERSEY								
Supreme Court	COLR	1,354 A	126 A	NA	9		7	18
Appellate Div. Superior Court	IAC	NA	NA	NA			28	
State Total								
NEW MEXICO								
Supreme Court	COLR	252	40	NA	16		5	8
Court of Appeals	IAC	64	15	NA	23		7	2
State Total		316	55		17			
NORTH CAROLINA								
Supreme Court	COLR	636	57	62	9	109	7	8
Court of Appeals	IAC	446	71 B	NA			12	6
State Total		1,082	128 *					
NORTH DAKOTA								
Supreme Court	COLR	6	0	0			5	
Court of Appeals	IAC	NJ	NJ	NJ			0	
State Total		6	0	0	0			
OHIO								
Supreme Court	COLR	1,770	203	151	11	74	7	29
Court of Appeals	IAC	NJ	NJ	NJ			58	
State Total		1,770	203	151	11	74		
OREGON								
Supreme Court	COLR	857	121	NA	14		7	17
Court of Appeals	IAC	NJ	NJ	NJ			10	
State Total		857	121		14			
SOUTH CAROLINA								
Supreme Court	COLR	26 A	26	NA			5	5
Court of Appeals	IAC	NJ	NJ	NJ			6	
State Total		26 *	26					
UTAH								
Supreme Court	COLR	61	NA	NA			5	
Court of Appeals	IAC	20	NA	NA			7	
State Total		81						

(continued on next page)

TABLE 5: Selected Caseload and Processing Measures for Discretionary Petitions Granted in State Appellate Courts, 1988 (continued)

		Discretionary petitions:						
State/Court name:	Court type	filed	filed granted	granted disposed	Granted as a percent of filed	Disposed as a percent of granted	Number of judges	Filed granted per judge
VIRGINIA								
Supreme Court	COLR	1,439	192	NA	13		7	27
Court of Appeals	IAC	1,291	250 A	NA			10	25
State Total		2,730	442 *					
WASHINGTON								
Supreme Court	COLR	947 A	NA	84			9	
Court of Appeals	IAC	372	NA	NA			16	
State Total		1,319 *						
WISCONSIN								
Supreme Court	COLR	915	181	184	20	102	7	26
Court of Appeals	IAC	228	NA	NA			13	
State Total		1,143						
States with no intermediate appellate court								
DELAWARE								
Supreme Court	COLR	4 A	NA	NA			5	
DISTRICT OF COLUMBIA								
Court of Appeals	COLR	61	9	4	15	44	9	1
MAINE								
Supreme Judicial Court	COLR	NA	NA	NA			7	
MISSISSIPPI								
Supreme Court	COLR	0	NA	0			9	
MONTANA								
Supreme Court	COLR	31	NA	NA			7	
NEBRASKA								
Supreme Court	COLR	NA	NA	NA			7	
NEVADA								
Supreme Court	COLR	NJ	NJ	NJ			5	
NEW HAMPSHIRE								
Supreme Court	COLR	504	NA	NA			5	
RHODE ISLAND								
Supreme Court	COLR	189	NA	NA			5	
SOUTH DAKOTA								
Supreme Court	COLR	35 A	NA	NA			5	
VERMONT								
Supreme Court	COLR	32	NA	NA			5	

(continued on next page)

TABLE 5: Selected Caseload and Processing Measures for Discretionary Petitions Granted in State Appellate Courts, 1988 (continued)

		Discretionary petitions:						
State/Court name:	Court type	filed	filed granted	granted disposed	Granted as a percent of filed	Disposed as a percent of granted	Number of judges	Filed granted per judge
WEST VIRGINIA								
Supreme Court of Appeals	COLR	1,621	789	756	49	96	5	158
WYOMING								
Supreme Court	COLR	NJ	NJ	NJ			5	
States with multiple appellate courts at any level								
ALABAMA								
Supreme Court	COLR	765	NA	NA			9	
Court of Civil Appeals	IAC	NJ	NJ	NJ			3	
Court of Criminal Appeals	IAC	NJ	NJ	NJ			5	
State Total		765						
NEW YORK								
Court of Appeals	COLR	4,280	NA	160			7	
Appellate Div. of the Supreme Court	IAC	NA	NA	NA			47	
Appellate Terms of the Supreme Crt.	IAC	NA	NA	NA			15	
State Total								
OKLAHOMA								
Supreme Court	COLR	295	64	NA	22		9	7
Court of Criminal Appeals	COLR	NA	82	NA			3	27
Court of Appeals	IAC	NJ	NJ	NJ			12	
State Total			146					
PENNSYLVANIA								
Supreme Court	COLR	2,207 C	230 C	NA	10		7	33
Superior Court	IAC	NA	NA	NA			15	
Commonwealth Court	IAC	45	NA	NA			9	
State Total								
TENNESSEE								
Supreme Court	COLR	820	64	NA	8		5	13
Court of Appeals	IAC	103	12	NA	12		12	1
Court of Criminal Appeals	IAC	67	25	NA	37		9	3
State Total		990	101		10			
TEXAS								
Supreme Court	COLR	1,243	175	120	14	69	9	19
Court of Criminal Appeals	COLR	1,416	307	233	22	76	9	34
Courts of Appeals	IAC	NJ	NJ	NJ			80	
State Total		2,659	482	353	18	73		

TABLE 5: Selected Caseload and Processing Measures for Discretionary Petitions Granted in State Appellate Courts, 1988. (continued)

COURT TYPE:

COLR = Court of Last Resort
IAC = Intermediate Appellate Court

NOTE: NA indicates that the data are unavailable.
Blank spaces indicate that a calculation is inappropriate.

NJ = This casetype is not handled in this court
– = Inapplicable

QUALIFYING FOOTNOTES:

The absence of a qualifying footnote indicates that data are complete.

*See the qualifying footnote for each court in the state. Each footnote has an impact on the state's total.

A: The following courts' data are incomplete:
- California–Supreme Court--Filed data do not include **original proceedings** initially heard in the Supreme Court that were granted.
- Connecticut–Supreme Court--**Discretionary petitions** filed data do not include **disciplinary** cases.
- Delaware–Supreme Court--**Discretionary petitions** filed data do not include some **discretionary interlocutory petitions** and some **discretionary advisory opinions.**
- Iowa–Supreme Court--Disposed data do not include some **original proceedings.**
- Kentucky–Supreme Court–**Discretionary petitions** filed data do not include some discretionary unclassified petitions.
- Minnesota--Court of Appeals--Data do not include some petitions.
- New Jersey–Supreme Court–Filed data do not include **discretionary interlocutory petitions** granted.
- Virginia--Court of Appeals--Filed data do not include **original proceedings petitions** granted.
- Washington–Supreme Court--**Discretionary petitions** filed data do not include some cases reported with **mandatory jurisdiction cases.**

B: The following courts' data are overinclusive:
- Arizona–Supreme Court--Disposed data include **mandatory judge disciplinary** cases.
- Massachusetts–Supreme Judicial Court –Disposed data include all **mandatory jurisdiction cases** disposed.
- North Carolina--Court of Appeals--Data include **discretionary petitions granted** that were disposed.

C: The following court's data are incomplete and overinclusive:
- Pennsylvania–Supreme Court--Filing data include motions that could not be separated, but do not include original proceeding petitions that were granted.

TABLE 6: Opinions Reported by State Appellate Courts, 1988

	Opinion count is by:		Composition of opinion count:					
State/Court name:	case	written document	signed opinions	per curiam opinions	memos/ orders	Total dispositions by signed opinion	Number of authorized justices/ judges	Number of lawyer support personnel
States with one court of last resort and one intermediate appellate court								
ALASKA								
Supreme Court	X	O	X	O	O	193	5	11
Court of Appeals	X	O	X	O	O	110	3	8
ARIZONA								
Supreme Court	X	O	X	X	O	86	5	16
Court of Appeals	X	O	X	X	some	284	18	51
ARKANSAS								
Supreme Court	X	O	X	X	X	378	7	14
Court of Appeals	X	O	X	X	O	562	6	15
CALIFORNIA								
Supreme Court	X	O	X	X	some	122	7	48
Courts of Appeal	X	O	X	X	some	8,639	88	231
COLORADO								
Supreme Court	X	O	X	X	O	244	7	14
Court of Appeals	X	O	X	O	some	NA	13	30
CONNECTICUT								
Supreme Court	X	O	X	X	some	230	7	14
Appellate Court	X	O	X	X	some	462	9	16
FLORIDA								
Supreme Court	X	O	X	X	O	222	7	15
District Courts of Appeal	X	O	X	X	O	4,346	46	99
GEORGIA								
Supreme Court	X	O	X	X	O	348	7	14
Court of Appeals	X	O	X	O	O	1,724	9	27
HAWAII								
Supreme Court	X	O	X	X	some	320	5	14
Intermediate Court of Appeals	X	O	X	X	X	120	3	6
IDAHO								
Supreme Court	O	X	X	X	X	NA	5	11
Court of Appeals	O	X	X	X	O	NA	3	6
ILLINOIS								
Supreme Court	X	O	X	X	O	NA	7	26
Appellate Court	X	O	X	X	some	1,938	34	87
INDIANA								
Supreme Court	X	O	X	X	O	328	5	16
Court of Appeals	X	X	X	X	X	1,121	12	32

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TABLE 6: Opinions Reported by State Appellate Courts, 1988 (continued)

State/Court name:	Opinion count is by:		Composition of opinion count:			Total dispositions by signed opinion	Number of authorized justices/ judges	Number of lawyer support personnel
	case	written document	signed opinions	per curiam opinions	memos/ orders			
IOWA								
Supreme Court	O	X	X	O	O	264	9	16
Court of Appeals	X	O	X	O	O	418	6	6
KANSAS								
Supreme Court	X	O	X	X	some	380	7	7
Court of Appeals	X	O	X	X	some	822	10	18
KENTUCKY								
Supreme Court	X	O	X	X	some	NA	7	11
Court of Appeals	X	O	X	X	some	NA	14	19
LOUISIANA								
Supreme Court	O	X	X	X	some	149	7	26
Courts of Appeal	O	X	X	X	X	2,972	52	138
MARYLAND								
Court of Appeals	X	O	X	O	O	112	7	14
Court of Special Appeals	X	O	X	O	O	230	13	29
MASSACHUSETTS								
Supreme Judicial Court	O	X	X	O	O	253	7	20
Appeals Court	O	X	X	X	X	169	14	32
MICHIGAN								
Supreme Court	X	O	X	X	O	79	7	27
Court of Appeals	X	O	X	X	some	4,869	18	82
MINNESOTA								
Supreme Court	X	O	X	O	O	165	7	10
Court of Appeals	X	O	X	O	O	611	13	31
MISSOURI								
Supreme Court	X	O	X	X	some	133	7	15
Court of Appeals	X	O	X	X	some	1,556	32	54
NEW JERSEY								
Supreme Court	O	X	X	O	O	68	7	21
Appellate Div. Superior Court	X	O	X	X	X	NA	28	54
NEW MEXICO								
Supreme Court	X	O	X	O	some	220	5	10
Court of Appeals	O	X	X	O	O	136	7	20
NORTH CAROLINA								
Supreme Court	X	O	X	O	some	188	7	14
Court of Appeals	X	O	X	O	X	1,170	12	28

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TABLE 6: Opinions Reported by State Appellate Courts, 1988 (continued)

	Opinion count is by:		Composition of opinion count:			Total dispositions by signed opinion	Number of authorized justices/ judges	Number of lawyer support personnel
State/Court name:	case	written document	signed opinions	per curiam opinions	memos/ orders			
NORTH DAKOTA								
Supreme Court	X	O	X	X	O	268	5	10
Court of Appeals	X	O	O	O	O	NA	3	**
OHIO								
Supreme Court	X	O	X	O	X	NA	7	20
Court of Appeals	X	O	X	O	X	4,718	59	varies
OREGON								
Supreme Court	X	O	X	X	O	128	7	9
Court of Appeals	X	O	X	O	O	606	10	16
SOUTH CAROLINA								
Supreme Court	X	O	X	X	O	123	5	16
Court of Appeals	X	O	X	X	O	336	6	11
UTAH								
Supreme Court	X	O	X	X	O	141	5	12
Court of Appeals	X	O	X	X	O	289	7	10
VIRGINIA								
Supreme Court	X	O	X	X	O	183	7	15
Court of Appeals	X	O	X	X	O	180	10	12
WASHINGTON								
Supreme Court	X	O	X	X	some	141	9	24
Court of Appeals	X	O	X	X	some	1,375	16	50
WISCONSIN								
Supreme Court	X	O	X	X	O	98	7	11
Court of Appeals	X	O	X	O	O	1,277	13	26
States with no intermediate appellate court								
DELAWARE								
Supreme Court	X	O	X	O	O	55	5	5
DISTRICT OF COLUMBIA								
Court of Appeals	X	O	X	X	O	249	9	26
MAINE								
Supreme Judicial Court	O	X	X	O	O	343	7	11
MISSISSIPPI								
Supreme Court	X	O	X	O	X	475	9	21
MONTANA								
Supreme Court	X	O	X	O	O	363	7	14

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TABLE 6: Opinions Reported by State Appellate Courts, 1988 (continued)

	Opinion count is by:		Composition of opinion count:					
State/Court name:	case	written document	signed opinions	per curiam opinions	memos/ orders	Total dispositions by signed opinion	Number of authorized justices/ judges	Number of lawyer support personnel
NEBRASKA								
Supreme Court	X	O	X	X	X	487	7	14
NEVADA								
Supreme Court	O	X	X	X	O	116	5	20
NEW HAMPSHIRE								
Supreme Court	X	O	X	X	O	144	5	12
RHODE ISLAND								
Supreme Court	X	O	X	O	O	139	5	17
SOUTH DAKOTA								
Supreme Court	X	O	X	X	O	194	5	8
VERMONT								
Supreme Court	X	O	X	O	O	217	5	8
WEST VIRGINIA								
Supreme Court of Appeals	X	O	X	X	some	249	5	21
WYOMING								
Supreme Court	X	O	X	X	some	178	5	12
States with multiple appellate courts at any level								
ALABAMA								
Supreme Court	X	O	X	X	some	672	9	20
Court of Civil Appeals	X	O	X	X	X	401	3	6
Court of Criminal Appeals	X	O	X	O	some	377	5	10
NEW YORK								
Court of Appeals	O	X	X	O	O	119	7	30
Appellate Div. of the Supreme Court	O	X	X	X	some	NA	47	136
Appellate Terms of the Supreme Crt.	O	X	X	X	some	NA	15	25
OKLAHOMA								
Supreme Court	X	O	X	X	O	199	9	29
Court of Criminal Appeals	X	O	X	X	O	NA	3	16
Court of Appeals	X	O	X	X	X	1,215	12	19
PENNSYLVANIA								
Supreme Court	X	O	X	O	O	268	7	NA
Superior Court	X	O	X	X	X	4,405	15	NA
Commonwealth Court	O	X	X	X	X	1,869	9	36

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TABLE 6: Opinions Reported by State Appellate Courts, 1988 (continued)

State/Court name:	Opinion count is by: case	Opinion count is by: written document	Composition of opinion count: signed opinions	Composition of opinion count: per curiam opinions	Composition of opinion count: memos/ orders	Total dispositions by signed opinion	Number of authorized justices/ judges	Number of lawyer support personnel
TENNESSEE								
Supreme Court	X	O	X	X	some	182	5	9
Court of Appeals	X	O	X	X	some	811	12	12
Court of Criminal Appeals	X	O	X	X	some	725	9	9
TEXAS								
Supreme Court	O	X	X	O	O	93	9	24
Court of Criminal Appeals	X	O	X	O	O	235	9	22
Courts of Appeals	X	O	X	O	O	5,066	80	140

CODES:

X - Court follows this method when counting opinions
O - Court does not follow this method when counting opinions
NA - Data are not available

TABLE 7: Reported National Civil and Criminal Caseload for State Trial Courts, 1988

Reported Caseload	Filed	Disposed
Civil cases:		
I. General jurisdiction courts:		
A. Number of reported complete cases	3,601,482	2,814,275
Number of courts reporting complete civil data	30	27
Number of states with general jurisdiction courts reporting complete data	25	22
Percent of the total population of states with general jurisdiction courts reporting complete civil data	44%	41%
B. Number of reported complete civil cases that include other casetypes	3,003,957	2,186,789
Number of courts reporting complete civil data that include other casetypes	18	13
Number of states with general jurisdiction courts reporting complete civil data that include other casetypes	18	13
Percent of the total population of states with general jurisdiction courts reporting complete civil data that include other casetypes	33%	26%
C. Number of reported cases that are either incomplete or incomplete and include noncivil casetypes	1,767,346	2,743,920
Number of courts reporting cases that are incomplete or incomplete and include noncivil casetypes	9	15
Number of states with general jurisdiction courts reporting cases that are incomplete or incomplete and include noncivil casetypes	9	15
Percent of the total population of states with general jurisdiction courts reporting cases that are incomplete or incomplete and include noncivil casetypes	23%	30%
II. Limited jurisdiction courts:		
A. Number of reported complete cases	5,677,889	4,114,149
Number of courts reporting complete civil data	55	45
Number of states with limited jurisdiction courts reporting complete data	30	27
Percent of the total population of states with limited jurisdiction courts reporting complete civil data	63%	59%
B. Number of reported complete civil cases that include other casetypes	184,497	211,906
Number of courts reporting complete civil data that include other casetypes	1	1
Number of states with limited jurisdiction courts reporting complete civil data that include other casetypes	1	1
Percent of the total population of states with limited jurisdiction courts reporting complete civil data that include other casetypes	7%	7%
C. Number of reported cases that are either incomplete or incomplete and include noncivil casetypes	2,684,033	2,696,529
Number of courts reporting cases that are incomplete or incomplete and include noncivil casetypes	18	22
Number of states with limited jurisdiction courts reporting cases that are incomplete or incomplete and include noncivil casetypes	11	15
Percent of the total population of states with limited jurisdiction courts reporting cases that are incomplete or incomplete and include noncivil casetypes	31%	36%

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TABLE 7: Reported National Civil and Criminal Caseload for State Trial Courts, 1988. (continued)

Reported Caseload	Filed	Disposed
Criminal cases:		
I. General jurisdiction courts:		
A. Number of reported complete cases	832,847	855,916
Number of courts reporting complete data	15	15
Number of states with general jurisdiction courts reporting complete data	15	15
Percent of the total population of states with general jurisdiction courts reporting complete criminal data	39%	45%
B. Number of reported complete criminal cases that include other casetypes	628,193	485,398
Number of courts reporting complete criminal data that include other casetypes	17	16
Number of states with general jurisdiction courts reporting complete criminal data that include other casetypes	17	16
Percent of the total population of states with general jurisdiction courts reporting complete criminal data that include other casetypes	24%	18%
C. Number of reported cases that are either incomplete or incomplete and include noncriminal casetypes	1,952,593	1,457,861
Number of courts reporting either incomplete data or incomplete data that include noncriminal casetypes	20	19
Number of states with general jurisdiction courts reporting either incomplete criminal data or incomplete data that include noncriminal casetypes	20	19
Percent of the total population of states with general jurisdiction courts reporting either incomplete criminal data or incomplete data that include noncriminal casetypes	36%	34%
II. Limited jurisdiction courts:		
A. Number of reported complete cases	1,826,610	1,068,876
Number of courts reporting complete data	9	7
Number of states with limited jurisdiction courts reporting complete data	8	6
Percent of the total population of states with limited jurisdiction courts reporting complete criminal data	22%	14%
B. Number of reported complete criminal cases that include other casetypes	1,399,949	1,264,107
Number of courts reporting complete criminal data that include other casetypes	11	11
Number of states with limited jurisdiction courts reporting complete criminal data that include other casetypes	10	10
Percent of the total population of states with limited jurisdiction courts reporting complete criminal data that include other casetypes	23%	23%
C. Number of reported cases that are either incomplete or incomplete and include noncriminal casetypes	5,321,093	5,087,112
Number of courts reporting either incomplete data or incomplete data that include noncriminal casetypes	42	37
Number of states with limited jurisdiction courts reporting either incomplete criminal data or incomplete data that include noncriminal casetypes	29	28
Percent of the total population of states with limited jurisdiction courts reporting either incomplete criminal data or incomplete data that include noncriminal casetypes	60%	61%

Summary section for all trial courts:

	Reported filings					
	General Jurisdiction		Limited Jurisdiction		Total (Incomplete)	
	Civil	Criminal	Civil	Criminal	Civil	Criminal
1. Total number of reported complete cases	3,601,482	832,847	5,677,889	1,826,610	9,279,371	2,659,457
2. Total number of reported complete cases that include other casetypes	3,003,957	628,193	184,497	1,399,949	3,188,454	2,028,142
3. Total number of reported cases that are either incomplete, or incomplete and include other casetypes	1,767,346	1,952,593	2,684,033	5,321,093	4,451,379	7,273,686
Total (incomplete)	8,372,785	3,413,633	8,546,419	8,547,652	16,919,204	11,961,285

TABLE 8: Reported Grand Total State Trial Court Caseload, 1988

State/Court name:	Jurisdiction	Parking	Criminal unit of count	Support/ custody	Grand total filings and qualifying footnotes	Grand total dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
ALABAMA								
Circuit	G	2	G	6	142,715 B	133,963 B	94	3,478
District	L	1	B	1	562,657 B	555,325 B	99	13,713
Municipal	L	1	M	1	NA	NA		
Probate	L	2	I	1	NA	NA		
State Total								
ALASKA								
Superior	G	1	B	6	18,955 C	17,268 C	91	3,624
District	L	3	B	5	128,004	121,862	95	24,475
State Total					146,959 *	139,130 *	95	28,099
ARIZONA								
Superior	G	2	D	6	143,835	134,379	93	4,123
Justice of the Peace	L	1	Z	1	608,432 A	581,781 A	96	17,439
Municipal	L	1	Z	1	1,160,302	1,152,778	99	33,256
State Total					1,912,569 *	1,868,938 *	98	54,817
ARKANSAS								
Chancery and Probate	G	2	I	3	58,997	56,059	95	2,464
Circuit	G	2	A	1	64,564	70,750 B		2,697
City	L	1	A	1	23,210	14,141	61	970
County	L	2	I	1	5,231 A	3,108 A	59	219
Court of Common Pleas	L	2	I	1	NA	NA		
Municipal	L	1	A	1	444,916 A	309,233 A	70	18,585
Police	L	1	A	1	NA	NA		
State Total								
CALIFORNIA								
Superior	G	2	B	6	881,494	788,607	89	3,113
Justice	L	3	B	1	599,534 B	498,026 B	83	2,117
Municipal	L	3	B	1	16,577,205 B	13,872,079 B	84	58,546
State Total					18,058,233 *	15,158,712 *	84	63,776
COLORADO								
District, Denver Juvenile, Denver Probate	G	2	D	3	142,123 B	142,310 B	100	4,305
Water	G	2	I	1	1,478	1,681	114	45
County	L	2	D	1	360,082 A	353,903 A	98	10,908
Municipal	L	1	I	1	NA	NA		
State Total								
CONNECTICUT								
Superior	G	1	E	5	549,781 C	479,464 C	87	16,995
Probate	L	2	I	1	54,367	NA		1,681
State Total					604,148 *			18,675

(continued on next page)

TABLE 8: Reported Grand Total State Trial Court Caseload, 1988.

State/Court name:	Juris-diction	Parking	Criminal unit of count	Support/ custody	Grand total filings and qualifying footnotes	Grand total dispositions and qualify-ing footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
DELAWARE								
Court of Chancery	G	2	I	1	3,665	3,314	90	555
Superior	G	2	B	1	9,341 B	9,019 B	97	1,415
Alderman's	L	4	A	1	25,652	25,667	100	3,887
Court of Common Pleas	L	2	A	1	31,381 A	31,185 A	99	4,755
Family	L	2	B	3	38,094 A	37,552 A	99	5,772
Justice of the Peace	L	2	A	1	214,504	218,085	102	32,501
Municipal Court of Wilmington	L	4	A	1	34,132 A	34,322 A	101	5,172
State Total					356,769 *	359,144 *	101	54,056
DISTRICT OF COLUMBIA								
Superior	G	3	B	6 **	226,115	226,812	100	36,588
FLORIDA								
Circuit	G	2	E	4	753,471	635,377	84	6,108
County	L	1	A	1	4,160,201	3,544,951	85	33,727
State Total					4,913,672	4,180,328	85	39,835
GEORGIA								
Superior	G	2	G	3	233,863	221,564	95	3,688
Civil	L	2	M	1	NA	NA		
County Recorder's	L	1	M	1	NA	NA		
Juvenile	L	2	I	1	69,848	52,601	75	1,101
Magistrate's	L	2	B	1	315,542 A	273,419 A	87	4,975
Municipal	L	2	M	1	NA	NA		
Municipal and City of Atlanta	L	1	M	1	NA	NA		
Probate	L	2	B	1	92,481 A	64,723 A	70	1,458
State	L	2	G	1	395,671 A	321,499 A	81	6,239
State Total								
HAWAII								
Circuit	G	2	G	6	50,775 B	43,814 B	86	4,620
District	L	4	A	1	856,053	769,664	90	77,894
State Total					906,828 *	813,478 *	90	82,514
IDAHO								
District	G	3	G	6	356,103 C	352,587 C	99	35,504
ILLINOIS								
Circuit	G	4	G	6	8,737,406 B	5,105,400 B	58	75,245
INDIANA								
Superior and Circuit	G	3	B	4	566,782 A	541,979 A	96	10,203
City and Town	L	3	B	1	199,716	201,095	101	3,595
County	L	4	B	1	243,974	239,499	98	4,392
Probate	L	2	I	1	3,690	3,334	90	66
Municipal Court of Marion County	L	3	B	1	176,658 A	148,792 A	84	3,180
Small Claims Court of Marion County	L	2	I	1	66,145	60,190	91	1,191
State Total					1,256,965 *	1,194,889 *	95	22,625

(continued on next page)

TABLE 8: Reported Grand Total State Trial Court Caseload, 1988.

State/Court name:	Juris-diction	Parking	Criminal unit of count	Support/ custody	Grand total filings and qualifying footnotes	Grand total dispositions and qualify-ing footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
IOWA								
District	G	3	B	6	934,509 B	925,748 C		32,975
KANSAS								
District	G	2	B	6	419,564	415,172	99	16,816
Municipal	L	1	B		166,072 A	157,576 A	95	6,656
State Total					585,636 *	572,748 *	98	23,472
KENTUCKY								
Circuit	G	2	B	6	76,185 B	74,741 B	98	2,045
District	L	3	B	1	581,500 C	560,834 C	96	15,607
State Total					657,685 *	635,575 *	97	17,651
LOUISIANA								
District	G	2	Z	6	548,730 B	NA		12,451
Family and Juvenile	G	2	I	4 ***	26,219	NA		595
City and Parish	L	1	B	1	678,787	526,088	78	15,402
Justice of the Peace	L	1	I	1	NA	NA		
Mayor's	L	1	I	1	NA	NA		
State Total								
MAINE								
Superior	G	2	B	6	18,404 B	17,067 B	93	1,527
Administrative	L	2	I	1	283	286	101	23
District	L	4	B	5	321,557 B	306,491 B	95	26,685
Probate	L	2	I	1	NA	NA		
State Total								
MARYLAND								
Circuit	G	2	B	4	203,147 B	180,963 B	89	4,393
District	L	2	B	1	1,900,318 A	1,084,053 A		41,097
Orphan's	L	2	I	1	NA	NA		
State Total								
MASSACHUSETTS								
Trial Court of the Commonwealth	G	1	D	4	2,324,596 A	1,776,401 A		39,480
MICHIGAN								
Circuit	G	2	B	4	234,911	242,317	103	2,543
Court of Claims	G	2	I	1	780	1,057	136	8
District	L	4	B	1	3,087,262	3,017,088	98	33,416
Municipal	L	4	B	1	54,224	49,527	91	587
Probate	L	2	I	1	124,726 A	65,806 A		1,350
State Total					3,501,903 *	3,375,795 *		37,903
MINNESOTA								
District	G	4	B	6	2,030,327	1,975,887	97	47,140

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TABLE 8: Reported Grand Total State Trial Court Caseload, 1988

State/Court name:	Jurisdiction	Parking	Criminal unit of count	Support/ custody	Grand total filings and qualifying footnotes	Grand total dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
MISSOURI								
Circuit	G	3	Z	6	845,340 C	791,544 C	94	16,440
Municipal	L				NA	NA		
State Total								
MONTANA								
District	G	2	G	3	29,421	26,468	90	3,655
Water	G				NA	NA		
Workers' Compensation	G				NA	NA		
City	L	1	B	1	NA	NA		
Justice of the Peace	L	1	B	1	NA	NA		
Municipal	L	1	B	1	NA	NA		
State Total								
NEBRASKA								
District	G	2	B	5	51,396 B	51,074 B	99	3,208
County	L	1	B	1	423,021 A	420,550 A	99	26,406
Separate Juvenile	L	2	I	1	2,388	NA		149
Worker's Compensation	L	2	I	1	360	344	96	22
State Total					477,165 *			29,786
NEVADA								
District	G	2	Z	2	36,520 A	NA		3,465
Justice	L	1	Z	1	NA	NA		
Municipal	L	1	Z	1	NA	NA		
State Total								
NEW HAMPSHIRE								
Superior	G	2	A	5	30,131 A	25,869		2,774
District	L	4	A	1	379,249 A	785 A		34,922
Municipal	L	4	A	1	7,427 A	NA		684
Probate	L	2	I	1	17,841	NA		1,643
State Total					434,648 *			40,023
NEW JERSEY								
Superior	G	2	B	6 **	854,980	846,100	99	11,075
Municipal	L	4	B	1	6,300,064	5,781,767	92	81,607
Surrogates	L	2	I	1	NA	NA		
Tax	L	2	I	1	2,762	3,816	138	36
State Total								
NEW MEXICO								
District	G	2	E	3	69,461 B	71,342 B	103	4,612
Magistrate	L	3	E	1	104,595 B	87,621 B	84	6,945
Municipal	L	1	I	1	NA	NA		
Probate	L	2	I	1	NA	NA		
Metropolitan Ct of Bernalillo County	L	4	E	1	325,690 A	169,682 A		21,626
State Total								

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TABLE 8: Reported Grand Total State Trial Court Caseload, 1988.

State/Court name:	Jurisdiction	Parking	Criminal unit of count	Support/ custody	Grand total filings and qualifying footnotes	Grand total dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
NEW YORK								
Supreme and County	G	2	E	1	259,326 C	272,397 C	105	1,448
Court of Claims	L	2	I	1	2,064	1,888	91	12
District and City	L	4	E	1	1,865,966 A	1,832,358 A	98	10,419
Family	L	2	I	4	486,946	461,317	95	2,719
Surrogates'	L	2	I	1	107,644	58,009 A		601
Town and Village Justice	L	1	E	1	NA	NA		
Civil Court, City of New York	L	2	I	1	242,849 A	270,551 A	111	1,356
Criminal Court, City of New York	L	4	E	1	375,618 A	363,738 A	97	2,097
State Total								
NORTH CAROLINA								
Superior	G	2	B	1	192,598	182,047	95	2,968
District	L	3	C	3	1,983,056 A	1,919,543 A	97	30,556
State Total					2,175,654 *	2,101,590 *	97	33,523
NORTH DAKOTA								
District	G	4	B	3	28,072 B	28,311 B	101	4,209
County	L	1	E	1	101,199 A	100,553 A	99	15,172
Municipal	L	1	B	1	NA	47,620 A		
State Total						176,484 *		
OHIO								
Court of Common Pleas	G	2	B	4	640,849 B	635,377 B	99	5,904
County	L	2	B	1	288,556	279,770	97	2,658
Court of Claims	L	2	I	1	4,945	5,930	120	46
Mayor's	L	1	M	1	NA	NA		
Municipal	L	2	B	1	2,391,614	2,412,135	101	22,032
State Total								
OKLAHOMA								
District	G	2	J	6	461,519 A	427,070 A	93	14,240
Court of Tax Review	L	2	I	1	NA	NA		
Municipal Court Not of Record	L	1	I	1	NA	NA		
Municipal Criminal Court of Record	L	1	I	1	NA	NA		
State Total								
OREGON								
Circuit	G	2	E	6	124,598 B	101,741 C		4,505
Tax	G	2	I	1	207	204	99	7
County	L	2	I	1	NA	NA		
District	L	1	E	1	463,143 A	426,116 A	92	16,744
Justice	L	3	E	1	119,613 B	116,851 B	98	4,324
Municipal	L	3	A	1	227,447	212,330	93	8,223
State Total								

(continued on next page)

TABLE 8: Reported Grand Total State Trial Court Caseload, 1988.

State/Court name:	Jurisdiction	Parking	Criminal unit of count	Support/ custody	Grand total filings and qualifying footnotes	Grand total dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
PENNSYLVANIA								
Court of Common Pleas	G	2	B	4	440,765 A	430,300 A	98	3,673
District Justice Court	L	4	B	1	2,129,929	1,913,846	90	17,748
Philadelphia Municipal Court	L	2	B	1	181,309 B	181,825 B	100	1,511
Philadelphia Traffic Court	L	1	I	1	1,012,811	306,005	30	8,439
Pittsburgh City Magistrates Court	L	4	B	1	399,358 A	NA		3,328
State Total					4,164,172 *			34,699
PUERTO RICO								
Superior	G	2	A	6	100,650 C	100,084 C	99	3,056
District	L	2	A	1	176,836 B	166,848 B	94	5,368
Justices of the Peace	L				NJ	NJ		
Municipal	L	1	I	1	NA	NA		
State Total								
RHODE ISLAND								
Superior	G	2	D	1	16,726 B	15,080 B	90	1,684
District	L	2	A	1	73,849 A	74,539 A	101	7,437
Family	L	2	I	6	15,235 A	10,476 A		1,534
Municipal	L	1	I	1	NA	NA		
Probate	L	2	I	1	NA	NA		
State Total								
SOUTH CAROLINA								
Circuit	G	2	B	1	112,377 B	105,769 B	94	3,238
Family	L	2	I	6	74,795	73,764	99	2,155
Magistrate	L	4	B	1	735,000 A	741,973 A	101	21,175
Municipal	L	4	B	1	393,212 A	390,268 A	99	11,328
Probate	L	2	I	1	20,220	16,646	82	583
State Total					1,335,604 *	1,328,420 *	99	38,479
SOUTH DAKOTA								
Circuit	G	3	B	4	214,987	200,869 A		30,152
TENNESSEE								
Circuit, Criminal, and Chancery	G	2	Z	6	175,131 C	153,902 C		3,577
General Sessions	L	1	M	6	NA	NA		
Juvenile	L	2	I	1	NA	NA		
Municipal	L	1	M	1	NA	NA		
Probate	L	2	M	1	NA	NA		
State Total								
TEXAS								
District	G	2	B	3	608,612 B	588,301 B	97	3,614
County-Level	L	2	B	4	635,348	649,671	102	3,773
Justice of the Peace	L	4	A	1	2,422,206 A	2,070,995 A	86	14,384
Municipal	L	4	A	1	6,640,879 A	5,820,334 A	88	39,435
State Total					10,307,045 *	9,129,301 *	89	61,206

(continued on next page)

TABLE 8: Reported Grand Total State Trial Court Caseload, 1988.

State/Court name:	Jurisdiction	Parking	Criminal unit of count	Support/ custody	Grand total filings and qualifying footnotes	Grand total dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
UTAH								
District	G	2	J	3	34,142 B	26,565 C		2,023
Circuit	L	4	B	1	403,385 B	323,705 C		23,897
Justice	L	4	B	1	299,052 A	275,983 A	92	17,716
Juvenile	L	2	I	1	43,520	43,816	101	2,578
State Total					780,099 *	670,069 *		46,214
VERMONT								
District	G	2	D	4 ***	153,598	154,260	100	27,576
Superior	G	2	I	5	10,890	10,396	95	1,955
Probate	L	2	I	1	5,190	4,843	93	932
State Total					169,678	169,499	100	30,463
VIRGINIA								
Circuit	G	2	A	3	177,107	169,557	96	2,944
District	L	4	A	4	3,050,358	3,052,714	100	50,704
State Total					3,227,465	3,222,271	100	53,648
WASHINGTON								
Superior	G	2	G	6	185,220 B	160,608 B	87	3,985
District	L	4	C	1	821,728 A	810,480 A	99	17,679
Municipal	L	4	C	3	1,225,729	947,783	77	26,371
State Total					2,232,677 *	1,918,871 *	86	48,035
WEST VIRGINIA								
Circuit	G	2	J	5	54,282 B	52,144 B	96	2,893
Magistrate	L	2	J	1	290,471 A	288,635 A	99	15,484
Municipal	L	1	A	1	NA	NA		
State Total								
WISCONSIN								
Circuit	G	3	D	3	1,002,660	1,000,889	100	20,656
Municipal	L	3	A	1	NA	374,563 A		
State Total						1,375,452 *		
WYOMING								
District	G	2	J	5	10,062 B	10,246 B	102	2,101
County	L	1	J	4	110,239 A	103,439 A	94	23,014
Justice of the Peace	L	1	J	1	19,983 A	19,795 A	99	4,172
Municipal	L	1	A	1	NA	NA		
State Total								

TABLE 8: Reported Grand Total State Trial Court Caseload, 1988. (continued)

NOTE: The trial courts of Mississippi are not included in this table, as neither grand total caseload nor court jurisdiction information is available for 1988. All other state trial courts with grand total jurisdiction are listed in the table, regardless of whether caseload data are available. Blank spaces in the table indicate that a particular calculation, such as the total state caseload, is not appropriate. State total "filings per 100,000 population" may not equal the sum of the filing rates for the individual courts due to rounding.

NA = Data are not available.

JURISDICTION CODES:

G = General Jurisdiction
L = Limited Jurisdiction

SUPPORT/CUSTODY CODES:

1 = The court does not have jurisdiction over support/custody cases
2 = Support/custody caseload data are not available
3 = Only contested support/custody cases and all URESA cases (where the court has jurisdiction) are counted separately from marriage dissolution cases
4 = Both contested and uncontested support/custody cases and URESA cases (where the court has jurisdiction) are counted separately from marriage dissolution cases
5 = Support/custody is counted as a proceeding of the marriage dissolution and thus a marriage dissolution that involves support/custody is counted as one case
6 = Support/custody is counted as a proceeding of the marriage dissolution but URESA cases are counted separately
** = Nondissolution support/custody cases are also counted separately
*** = Court has only URESA jurisdiction

PARKING CODES:

1 = Parking data are unavailable
2 = Court does not have parking jurisdiction
3 = Only contested parking cases are included
4 = Both contested and uncontested parking cases are included
5 = Parking cases are handled administratively
6 = Uncontested parking cases are handled administratively; contested parking cases are handled by the court

CRIMINAL UNIT OF COUNT CODES:

M = Missing Data
I = Data element is inapplicable
A = Single defendant--single charge
B = Single defendant--single incident (one/more charges)
C = Single defendant--single incident/maximum number charges (usually two)
D = Single defendant--one/more incidents
E = Single defendant--content varies with prosecutor
F = One/more defendants--single charge
G = One/more defendants--single incident (one/more charges)
H = One/more defendants--single incident/maximum number charges (usually two)
J = One/more defendants--one/more incidents
K = One/more defendants--content varies with prosecutor
L = Inconsistent during reporting year
Z = Both the defendant and charge components vary within the state

QUALIFYING FOOTNOTES:

The absence of a qualifying footnote indicates that data are complete.

*See the qualifying footnote for each court within the state. Each footnote has an impact on the state's total.

A: The following courts' data are incomplete:

Arizona--Justice of the Peace Court--Grand total filed and disposed data do not include **limited felony** cases.

Arkansas--County Court--Grand total filed and disposed data do not include **real property rights**, **miscellaneous domestic relations**, and **miscellaneous civil** cases.
--Municipal Court--Grand total filed and disposed data do not include cases from several municipalities which did not report.

Colorado--County Court--Grand total filed and disposed data do not include **civil** data from Denver County.

Delaware--Court of Common Pleas--Grand total filed and disposed data do not include most **felony** cases.
--Family Court--Grand total filed and disposed data do not include **status petitions and child-victim petitions.**
--Municipal Court of Wilmington--Grand total filed and disposed data do not include **limited felony** cases.

Georgia--Magistrate Court--Grand total filed and disposed data do not include cases from 19 counties, and include only partial data from 11 counties.
--Probate Court--Grand total filed data include cases from 75 of 159 counties, and are less than 75% complete. Disposed data do not include any **civil** cases, and partial **criminal** and **traffic** data from 84 counties, and are less than 75% complete.
--State Court--Grand total filed and disposed data include data from 24 of 63 courts, and are less than 75% complete.

Indiana--Superior and Circuit Courts--Grand total filed and disposed data do not include **civil appeals** and **criminal appeals** cases.
--Municipal Court of Marion County--Grand total filed and disposed data do not include **appeals of trial court** cases.

Kansas--Municipal Court--Grand total filed and disposed data represent 119 of 390 municipal courts.

Maryland--District Court--Grand total filed data do not include **ordinance violation** and **parking** cases. Disposed data do not include **civil**, **ordinance violation**, and **parking** cases, and are less than 75% complete.

Massachusetts--Trial Court of the Commonwealth--Grand total filed data do not include **parking** cases. Disposed data do not include **civil** cases from the Housing Court Department, **miscellaneous civil** data from the Probate/Family Court Department, **criminal** cases from the Boston Municipal, Housing and Juvenile Court Departments, **moving traffic** cases from the Boston Municipal Court Department, **parking**, **ordinance violation** and **miscellaneous traffic** cases, and **juvenile** data from the Juvenile Court Department, and are less than 75% complete.

Michigan--Probate Court--Grand total filed data do not include **status petitions**. Disposed data do not include **paternity/bastardy**, **miscellaneous domestic relations**, **mental health**, **miscellaneous civil**, and **status petition** cases, and are less than 75% complete.

Nebraska--County Court--Grand total filed and disposed data do not include **limited felony** and **parking** cases.

Nevada–District Court–Grand total filed data do not include **felony, misdemeanor, DWI/DUI, miscellaneous criminal,** and all **juvenile** cases, and are less than 75% complete.

New Hampshire–Superior Court–Grand total filed data do not include some **criminal appeals** cases.

–District Court--Grand total filed data do not include **limited felony** cases. Disposed data do not include criminal, traffic and **juvenile** cases, are missing all **civil** casetypes except **mental health,** and are less than 75% complete.

–Municipal Court–Grand total filed data do not include **limited felony** cases.

New Mexico–Metropolitan Court of Bernalillo County–Grand total filed data do not include **limited felony** cases. Disposed data do not include **limited felony** and **miscellaneous traffic** cases.

New York--District and City Courts–Grand total filed and disposed data do not include **civil appeals** cases.

–Civil Court of the City of New York–Grand total filed and disposed data do not include **civil appeals** cases.

–Criminal Court of the City of New York--Grand total filed and disposed data do not include **moving traffic, miscellaneous traffic,** and some **ordinance violation** cases.

–Surrogates' Court--Grand total disposed data do not include **miscellaneous estate** cases, and are less than 75% complete.

North Carolina--District Court--Grand total filed and disposed data do not include **limited felony** cases.

North Dakota–County Court–Grand total filed and disposed data do not include **limited felony** cases.

–Municipal Court–Grand total disposed data do not include **ordinance violation** and **parking** cases, and are less than 75% complete.

Oklahoma--District Court–Grand total filed and disposed data do not include any **juvenile** cases.

Oregon--District Court–Grand total filed and disposed data do not include **felony** and **parking** cases.

Pennsylvania–Court of Common Pleas–Grand total data do not include some **civil** cases and **postconviction criminal appeals.**

–Pittsburgh City Magistrates Court–Grand total filed data do not include **limited felony** cases.

Rhode Island–District Court--Grand total filed and disposed data do not include **administrative agency appeals, mental health, and limited felony** cases.

–Family Court–Grand total filed data do not include **paternity/bastardy** cases. Disposed data do not include most **marriage dissolution** cases and all **paternity/bastardy** cases, and are less than 75% complete.

South Carolina--Magistrate Court–Grand total filed and disposed data do not include **limited felony** cases.

–Municipal Court–Grand total filed and disposed data do not include **limited felony** cases.

South Dakota--Circuit Court–Grand total disposed data do not include **adoption, miscellaneous domestic relations, estate, mental health, administrative agency appeals,** and **juvenile** data.

Texas–Justice of the Peace Court–Grand total filed and disposed data do not include **limited felony** cases and represent a reporting rate of 80%.

–Municipal Court–Grand total filed and disposed data do not include **limited felony** cases and represent a reporting rate of 77%.

Utah–Justice Court–Grand total filed and disposed data do not include **limited felony** cases.

Washington–District Court–Grand total filed and disposed data do not include **limited felony** cases.

West Virginia–Magistrate Court--Grand total filed and disposed data do not include **limited felony** cases.

Wisconsin--Municipal Court–Grand total disposed data do not include data from several municipalities.

Wyoming--County Court–Grand total filed data do not include **limited felony** cases. Disposed data do not include **appeals of trial court cases, felony** and **criminal appeals** cases.

–Justice of the Peace Court–Grand total filed and disposed data do not include **limited felony** cases.

B: The following courts' data are overinclusive:

Alabama–Circuit Court–Grand total filed and disposed data include **postconviction remedy proceedings.**

–District Court--Grand total filed and disposed data include **preliminary hearing proceedings.**

Arkansas--Circuit Court--Grand total disposed data include **postconviction remedy** and probation revocation proceedings.

California–Justice Court–Grand total filed and disposed data include **preliminary hearing** bindovers and transfers.

–Municipal Court–Grand total filed and disposed data include **preliminary hearing** bindovers and transfers.

Colorado–District, Denver Juvenile, and Denver Probate Courts–Grand total filed and disposed data include extraditions, revocations, parole, and release from commitment hearings.

Delaware–Superior Court–Grand total filed and disposed data include **postconviction remedy proceedings.**

Hawaii–Circuit Court–Grand total filed and disposed data include **criminal postconviction remedy proceedings.**

Illinois–Circuit Court–Grand total filed and disposed data include **preliminary hearing proceedings.**

Iowa–District Court--Grand total filed data include **postconviction remedy proceedings.**

Kentucky–Circuit Court–Grand total filed and disposed data include **sentence review only** and **postconviction remedy proceedings.**

Louisiana–District Court–Grand total filed data include **postconviction remedy proceedings.**

Maine–Superior Court–Grand total filed and disposed data include **postconviction remedy** and **sentence review only proceedings.**

–District Court--Grand total filed and disposed data include **preliminary hearing proceedings.**

Maryland--Circuit Court–Grand total filed and disposed data include some **postconviction remedy proceedings.**

Nebraska–District Court–Grand total filed and disposed data include **postconviction remedy proceedings.**

New Mexico–District Court–Grand total filed and disposed data include **postconviction remedy proceedings.**

–Magistrate Court–Grand total filed and disposed data include **preliminary hearing proceedings.**

North Dakota–District Court–Grand total filed and disposed data include **sentence review only** and **postconviction remedy proceedings.**

Ohio–Court of Common Pleas–Grand total filed and disposed data include **postconviction remedy proceedings.**

Oregon–Circuit Court–Grand total filed data include **postconviction remedy proceedings.**

–Justice Court–Grand total filed and disposed data include **preliminary hearing proceedings.**

Pennsylvania–Philadelphia Municipal Court–Grand total filed and disposed data include **preliminary hearing proceedings.**

Puerto Rico–District Court–Grand total filed and disposed data include transfers and reopened cases.

Rhode Island–Superior Court–Grand total filed and disposed data include **postconviction remedy proceedings.**South Carolina–Circuit Court–Grand total filed and disposed data include **postconviction remedy proceedings.**

TABLE 8: Reported Grand Total State Trial Court Caseload, 1988. (continued)

Texas–District Court--Grand total filed and disposed data include some other proceedings (i.e., motions to revoke, etc.)

Utah–District Court--Grand total filed data include **postconviction remedy** and **sentence review only proceedings**.

–Circuit Court--Grand total filed data include **postconviction remedy proceedings**.

Washington–Superior Court–Grand total filed and disposed data include **postconviction remedy proceedings**.

West Virginia–Circuit Court--Grand total filed and disposed data include **postconviction remedy proceedings**.

Wyoming–District Court--Grand total filed and disposed data include **postconviction remedy proceedings**.

C: The following courts' data are incomplete and overinclusive:

Alaska–Superior Court–Grand total filed and disposed data include **postconviction remedy proceedings**, but do not include **criminal appeals** cases.

Connecticut–Superior Court–Grand total filed data include **postconviction remedy proceedings**, but do not include some **miscellaneous domestic relations** cases. Grand total disposed data include **postconviction remedy proceedings**, but do not include some **miscellaneous domestic relations**, and most **small claims** cases.

Idaho--District Court--Grand total filed and disposed data include **postconviction remedy** and **sentence review only proceedings**, but do not include **parking cases**.

Iowa–District Court--Grand total disposed data include **postconviction remedy proceedings**, but do not include **juvenile** cases and a few **domestic relations** cases.

Kentucky–District Court–Grand total filed and disposed data include **sentence review only proceedings**, but do not include **limited felony** cases.

Missouri--Circuit Court–Grand total filed and disposed data include **postconviction remedy proceedings**, but do not include some **ordinance violation** and some **parking** cases.

New York--Supreme and County Courts--Grand total filed and disposed data include **postconviction remedy proceedings**, but do not include **civil appeals** and **criminal appeals** cases.

Oregon--Circuit Court--Grand total disposed data include **postconviction remedy proceedings**, but do not include **adoption, mental health**, and **juvenile** cases.

Puerto Rico–Superior Court–Grand total filed and disposed data include transfers and reopened cases, but do not include **URESA** cases.

Tennessee–Circuit, Criminal, and Chancery Courts–Grand total filed data include **postconviction remedy proceedings**, but do not include **traffic/other violation** cases. Disposed data include **postconviction remedy proceedings**, but do not include **DWI/DUI**, and **traffic/other violation** cases.

Utah–District Court--Grand total disposed data include **postconviction remedy** and **sentence review** only proceedings, but are incomplete due to conversion from a manual to an automated data system which, at present, is incomplete.

–Circuit Court--Grand total disposed data include **postconviction remedy proceedings**, but are incomplete due to conversion from a manual to an automated data system which, at present, is incomplete.

TABLE 9: Reported Total State Trial Court Civil Caseload, 1988

State/Court name:	Jurisdiction	Support/custody: (a) method of count code	Support/custody: (b) decree change counted as	Total civil filings and qualifying footnotes	Total civil dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
ALABAMA							
Circuit	G	6**	NF	80,681 C	80,699 C	100	1,966
District	L	1		159,872	165,732	104	3,896
Probate	L	1		NA	NA		
State Total							
ALASKA							
Superior	G	6**	R	14,587 B	13,485 B	92	2,789
District	L	5	NA	22,353	17,382	78	4,274
State Total				36,940 *	30,867 *	84	7,063
ARIZONA							
Superior	G	6	R	107,170	98,894	92	3,072
Justice of the Peace	L	1		126,177	118,142	94	3,616
Municipal	L	1		5,674	5,674	100	163
State Total				239,021	222,710	93	6,851
ARKANSAS							
Chancery and Probate	G	3**	R	54,891	52,096	95	2,293
Circuit	G	1		28,356	31,512	111	1,184
City	L	1		225	84	37	9
County	L	1		5,231 A	3,108 A	59	219
Court of Common Pleas	L	1		NA	NA		
Municipal	L	1		43,451 A	19,036 A	44	1,815
Police	L	1		NA	NA		
State Total							
CALIFORNIA							
Superior	G	6	NC	676,691	591,991	87	2,390
Justice	L	1		37,059	28,338	76	131
Municipal	L	1		1,082,470	800,901	74	3,823
State Total				1,796,220	1,421,230	79	6,344
COLORADO							
District, Denver Juvenile, Denver Probate	G	3	R	109,047	111,417	102	3,303
Water	G	1		1,478	1,681	114	45
County	L	1		114,947 A	118,273 A	103	3,482
State Total				225,472 *	231,371 *	103	6,830
CONNECTICUT							
Superior	G	5**	NC	151,153 C	91,698 C	61	4,672
Probate	L	1		54,367	NA		1,681
State Total				205,520 *			6,353

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TABLE 9: Reported Total State Trial Court Civil Caseload, 1988. (continued)

		Support/custody:					
State/Court name:	Jurisdiction	(a) method of count code	(b) decree change counted as	Total civil filings and qualifying footnotes	Total civil dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
DELAWARE							
Court of Chancery	G	1		3,665	3,314	90	555
Superior	G	1		4,999	4,491	90	757
Alderman's	L	1		0	0		
Court of Common Pleas	L	1		4,988	4,884	98	756
Family	L	3**	R	25,947	25,765	99	3,931
Justice of the Peace	L	1		25,419	27,188	107	3,851
State Total				65,018	65,642	101	9,851
DISTRICT OF COLUMBIA							
Superior	G	6**	R	152,782	154,387	101	24,722
FLORIDA							
Circuit	G	4	R	471,451	403,616	86	3,822
County	L	1		349,570	320,117	92	2,834
State Total				821,021	723,733	88	6,656
GEORGIA							
Superior	G	3	NF	156,312	150,460	96	2,465
Civil	L	1		NA	NA		
Magistrate's	L	1		263,090 A	233,091 A	89	4,148
Municipal	L	1		NA	NA		
Probate	L	1		23,197 A	NA		366
State	L	1		162,634 A	121,895 A	75	2,564
State Total							
HAWAII							
Circuit	G	6	R	27,178 B	23,362 B	86	2,473
District	L	1		23,693	21,643	91	2,156
State Total				50,871 *	45,005 *	88	4,629
IDAHO							
District	G	6**	NF	58,717	59,030	101	5,854
ILLINOIS							
Circuit	G	6**	R	662,465 B	607,183 B	92	5,705
INDIANA							
Superior and Circuit	G	5	R	257,994 A	253,457 A	98	4,644
City and Town	L	1		12,183	9,216	76	219
County	L	1		63,666	61,823	97	1,146
Probate	L	1		2,365 A	1,997 A	84	43
Municipal Court of Marion County	L	1		11,432 A	12,002 A	105	206
Small Claims Court of Marion County	L	1		66,145	60,190	91	1,191
State Total				413,785 *	398,685 *	96	7,449
IOWA							
District	G	6	NF	175,037 B	181,048 C		6,176

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TABLE 9: Reported Total State Trial Court Civil Caseload, 1988. (continued)

State/Court name:	Juris-diction	Support/custody: (a) method of count code	Support/custody: (b) decree change counted as	Total civil filings and qualifying footnotes	Total civil dispositions and qualifying footnotes	Dispo-sitions as a per-centage of filings	Filings per 100,000 total population
KANSAS							
District	G	6**	NC	143,851	143,078	99	5,766
KENTUCKY							
Circuit	G	6	R	63,373 B	62,035 B	98	1,701
District	L	1		127,966 A	119,239 A	93	3,434
State Total				191,339 *	181,274 *	95	5,135
LOUISIANA							
District	G	6	R	174,920 B	NA		3,969
Family and Juvenile	G	4***	R	NA	NA		
City and Parish	L	1		69,459	48,594	70	1,576
Justice of the Peace	L	1		NA	NA		
State Total							
MAINE							
Superior	G	6	NC	6,838	6,361	93	567
Administrative	L	1		283	286	101	23
District	L	5	NC	60,258	56,624	94	5,001
Probate	L	1		NA	NA		
State Total							
MARYLAND							
Circuit	G	6**	NF	112,645	97,772	87	2,436
District	L	1		679,424	NA		14,693
Orphan's	L	1		NA	NA		
State Total							
MASSACHUSETTS							
Trial Court of the Commonwealth	G	5**	R	515,957	487,692 A		8,763
MICHIGAN							
Circuit	G	6**	NC	180,122	187,673	104	1,950
Court of Claims	G	1		780	1,057	136	8
District	L	1		395,382	392,600	99	4,279
Municipal	L	1		842	822	98	9
Probate	L	1		98,651	42,609 A		1,068
State Total				675,777	624,761 *		7,314
MINNESOTA							
District	G	6	NF	231,819	233,571	101	5,382
MISSOURI							
Circuit	G	6**	NF	257,667 B	231,456 C		5,011

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TABLE 9: Reported Total State Trial Court Civil Caseload, 1988. (continued)

State/Court name:	Jurisdiction	Support/custody: (a) method of count code	Support/custody: (b) decree change counted as	Total civil filings and qualifying footnotes	Total civil dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
MONTANA							
District	G	3	R	24,646 A	21,567 A	88	3,062
City	L	1		NA	NA		
Justice of the Peace	L	1		NA	NA		
Municipal	L	1		NA	NA		
State Total							
NEBRASKA							
District	G	5	R	45,648 A	45,971 A	101	2,849
County	L	1		54,031	53,449	99	3,373
Worker's Compensation	L	1		360	344	96	22
State Total				100,039 *	99,764 *	100	6,245
NEVADA							
District	G	2	R	36,512	NA		3,464
Justice	L	1		NA	NA		
Municipal	L	1		NA	NA		
State Total							
NEW HAMPSHIRE							
Superior	G	5	R	21,321	18,793	88	1,963
District	L	1		50,228	785 A		4,625
Municipal	L	1		404	NA		37
Probate	L	1		17,841	NA		1,643
State Total				89,794			8,268
NEW JERSEY							
Superior	G	6**	R	681,986 A	679,430 A	100	8,834
Surrogates	L	1		NA	NA		
Tax	L	1		2,762	3,816	138	36
State Total							
NEW MEXICO							
District	G	6**	R	51,072 B	53,423 B	105	3,391
Magistrate	L	1		11,065	8,283	75	735
Probate	L	1		NA	NA		
Metropolitan Ct of Bernalillo County	L	1		9,097	8,944	98	604
State Total							
NEW YORK							
Supreme and County	G	5	R	192,149 C	207,786 C	108	1,073
Court of Claims	L	1		2,064	1,888	91	12
District and City	L	1		227,766 A	215,158 A	94	1,272
Family	L	4	R	428,761	402,812	94	2,394
Surrogates'	L	1		107,644	58,009 A		601
Town and Village Justice	L	1		NA	NA		
Civil Court of the City of New York	L	1		242,849 A	270,551 A	111	1,356
State Total							

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TABLE 9: Reported Total State Trial Court Civil Caseload, 1988. (continued)

		Support/custody:					
State/Court name:	Jurisdiction	(a) method of count code	(b) decree change counted as	Total civil filings and qualifying footnotes	Total civil dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
NORTH CAROLINA							
Superior	G	1		103,650	96,924	94	1,597
District	L	6**	R	402,154	385,154	96	6,197
State Total				505,804	482,078	95	7,794
NORTH DAKOTA							
District	G	6**	R	17,398	17,182	99	2,608
County	L	1		16,484	15,089	92	2,471
State Total				33,882	32,271	95	5,080
OHIO							
Court of Common Pleas	G	6**	NF	344,946 B	344,068 B	100	3,178
County	L	1		24,422	23,529	96	225
Court of Claims	L	1		4,945	5,930	120	46
Municipal	L	1		376,514	387,758	103	3,469
State Total				750,827 *	761,285 *	101	6,917
OKLAHOMA							
District	G	6	NF	200,332	190,095.	95	6,181
Court of Tax Review	L	1		NA	NA		
State Total							
OREGON							
Circuit	G	6**	R	79,414 B	76,599 C		2,871
Tax	G	1		207	204	99	7
County	L	1		NA	NA		
District	L	1		78,746	80,918	103	2,847
Justice	L	1		6,719	5,675	84	243
State Total							
PENNSYLVANIA							
Court of Common Pleas	G	4	NF	272,402 A	268,386 A	99	2,270
District Justice Court	L	1		218,079	209,630	96	1,817
Philadelphia Municipal Court	L	1		112,521 A	112,919 A	100	938
Pittsburgh City Magistrates Court	L	1		4,278	NA		36
State Total				607,280 *			5,060
PUERTO RICO							
Superior	G	6	R	60,687 C	61,349 C	101	1,842
District	L	1		54,577 C	50,757 C	93	1,657
State Total				115,264 *	112,106 *	97	3,499
RHODE ISLAND							
Superior	G	1		8,863 B	8,714 B	98	893
District	L	1		34,178 A	39,621 A	116	3,442
Family	L	6	R	8,077 A	3,962 A		813
Probate	L	1		NA	NA		
State Total							

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TABLE 9: Reported Total State Trial Court Civil Caseload, 1988. (continued)

		Support/custody:					
State/Court name:	Jurisdiction	(a) method of count code	(b) decree change counted as	Total civil filings and qualifying footnotes	Total civil dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
SOUTH CAROLINA							
Circuit	G	1		53,506 B	52,007 B	97	1,542
Family	L	6**	NF	60,707	60,512	100	1,749
Magistrate	L	1		124,950	134,744	108	3,600
Probate	L	1		20,220	16,646	82	583
State Total				259,383 *	263,909 *	102	7,473
SOUTH DAKOTA							
Circuit	G	4	NC	40,209	33,922 A		5,639
TENNESSEE							
Circuit, Criminal, and Chancery	G	6**	R	117,384 B	105,862 B	90	2,398
General Sessions	L	6**	R	NA	NA		
Juvenile	L	1		NA	NA		
Probate	L	1		NA	NA		
State Total							
TEXAS							
District	G	6**	NF	456,240 B	441,632 B	97	2,709
County-Level	L	6**	NF	184,497 B	211,906 B	115	1,096
Justice of the Peace	L	1		274,745 A	215,395 A	78	1,632
Municipal	L	1		721 A	721 A	100	4
State Total				916,203 *	869,654 *	95	5,441
UTAH							
District	G	3	R	29,960 B	22,860 C		1,775
Circuit	L	1		103,576	58,107 C		6,136
Justice	L	1		3,240	2,720	84	192
State Total				136,776 *	83,687 *		8,103
VERMONT							
District	G	4***	NC	18,618	19,092	103	3,343
Superior	G	5	NC	10,778	10,284	95	1,935
Probate	L	1		5,190	4,843	93	932
State Total				34,586	34,219	99	6,209
VIRGINIA							
Circuit	G	3	R	94,484	90,648	96	1,571
District	L	4	R	974,286 A	982,828 A	101	16,195
State Total				1,068,770 *	1,073,476 *	100	17,765
WASHINGTON							
Superior	G	6	R	134,180 B	116,171 B	87	2,887
District	L	1		106,054	80,562	76	2,282
Municipal	L	1		4,183	4,076	97	90
State Total				244,417 *	200,809 *	82	5,259

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TABLE 9: Reported Total State Trial Court Civil Caseload, 1988. (continued)

		Support/custody:					
State/Court name:	Jurisdiction	(a) method of count code	(b) decree change counted as	Total civil filings and qualifying footnotes	Total civil dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
WEST VIRGINIA							
Circuit	G	5	R	40,402	38,652	96	2,154
Magistrate	L	1		50,631	48,832	96	2,699
State Total				91,033	87,484	96	4,853
WISCONSIN							
Circuit	G	6**	R	345,825 B	350,028 B	101	7,125
WYOMING							
District	G	5	R	7,340 B	8,819 B	120	1,532
County	L	4	R	16,415	16,466 A		3,427
Justice of the Peace	L	1		2,018	1,990	99	421
State Total				25,773 *	27,275 *		5,381

NOTE: The trial courts of Mississippi are not included in this table as neither civil caseload nor court jurisdiction information is available for 1988. All other state trial courts with civil jurisdiction are listed in the table regardless of whether caseload data are available. Blank spaces in the table indicate that a particular calculation, such as the total state caseload, is not appropriate. State total "filings per 100,000 population" may not equal the sum of the filing rates for the individual courts due to rounding.

NA = Data are not available

JURISDICTION CODES:

G = General Jurisdiction
L = Limited Jurisdiction

SUPPORT/CUSTODY CODES:

1 = The court does not have jurisdiction over support/custody cases
2 = Support/custody caseload data are not available
3 = Only contested support/custody cases and all URESA cases (where the court has jurisdiction) are counted separately from marriage dissolution cases
4 = Both contested and uncontested support/custody cases and URESA cases (where the court has jurisdiction) are counted separately from marriage dissolution cases
5 = Support/custody is counted as a proceeding of the marriage dissolution and thus a marriage dissolution that involves support/custody is counted as one case
6 = Support/custody is counted as a proceeding of the marriage dissolution but URESA cases are counted separately

**Nondissolution support/custody cases are also counted separately

***Court has only URESA jurisdiction

QUALIFYING FOOTNOTES:

The absence of a qualifying footnote indicates that data are complete.

*See the qualifying footnote for each court within the state. Each footnote has an impact on the state's total.

A: The following courts' data are incomplete:

Arkansas--County Court--Total **civil** filed and disposed data do not include **real property rights**, **miscellaneous domestic relations**, and **miscellaneous civil cases**.
–Municipal Court–Total **civil** filed and disposed data do not include data from 10 municipalities, and partial data from 21 others.

Colorado--County Court--Total **civil** filed and disposed data do not include cases from Denver County.

Georgia--Magistrate Court–Total **civil** filed and disposed data do not include any cases from 19 of 159 counties, and partial data from 11 counties.
–Probate Court–Total **civil** filed data include cases from 75 of 159 counties, and are less than 75% complete.
–State Court–Total **civil** filed and disposed data include cases from 24 of 63 courts, and are therefore less than 75% complete.

Indiana–Superior and Circuit Courts–Total **civil** filed and disposed data do not include **civil appeals, miscellaneous domestic relations**, and some **support/custody** cases.
–Probate Court–Total **civil** filed and disposed data do not include **miscellaneous domestic relations cases.**
–Municipal Court of Marion County–Total **civil** filed and disposed data do not include **appeals of trial court** cases.

Kentucky–District Court–Total **civil filed and disposed** data do not include **paternity/bastardy** cases.

Massachusetts--Trial Court of the Commonwealth–Total **civil disposed** data do not include **real property rights** and **small claims** cases from the Housing Court Department and **miscellaneous civil** cases from the Probate/Family Court Department.

Michigan–Probate Court--Total **civil** disposed data do not include **paternity/ bastardy**, **miscellaneous domestic relations**, **mental health**, and **miscellaneous civil** cases, and are less than 75% complete.

Montana–District Court–Total **civil** filed and disposed data do not include some **appeals of trial court** cases.

Nebraska–District Court–Total **civil** filed and disposed data do not include **civil appeals**.

New Hampshire–District Court--Total **civil** disposed data do not include **tort, contract, real property rights, small claims, and miscellaneous domestic relations** cases, and are less than 75% complete.

New Jersey–Superior Court–Total **civil** filed and disposed data do not include a few **domestic relations** cases.

New York--District and City Courts–Total **civil** filed and disposed data do not include **civil appeals** cases.
–Civil Court of the City of New York–Total **civil** filed and disposed data do not include **civil appeals** cases.
–Surrogates' Court--Total **civil** disposed data do not include **miscellaneous estate** cases, and are less than 75% complete.

Pennsylvania–Court of Common Pleas–Total **civil** data do not include some **unclassified** civil cases.
–Philadelphia Municipal Court--Total **civil** filed and disposed data do not include **miscellaneous domestic relations** cases.

Rhode Island–District Court--Total **civil** filed and disposed data do not include **administrative agency appeals** and **mental health** cases.
--Family Court–Total **civil** filed data do not include **paternity/bastardy** and **adoption** cases. Disposed data do not include most **marriage dissolution** cases, all **adoption** and **paternity/bastardy** cases, and are less than 75% complete.

South Dakota--Circuit Court--Total **civil** disposed data do not include **adoption**, **miscellaneous domestic relations**, **estate**, **mental health**, and **administrative agency appeals** cases.

Texas–Justice of the Peace Court–Total **civil** filed and disposed data represent a reporting rate of 80%.
–Municipal Court–Total **civil** filed and disposed data represent a reporting rate of 77%.

Utah–Circuit Court--Total **civil** disposed data do not include some cases. Conversion from a manual to an automated data system is incomplete and disposition data, at present, are incomplete.

Virginia--District Court--Total **civil** filed and disposed data do not include some **mental health** and some **domestic relations** cases.

Wyoming–County Court–Total **civil** disposed data do not include **appeals of trial court cases.**

B: The following courts' data are overinclusive:

Alaska–Superior Court–Total **civil** filed and disposed data include **postconviction remedy** proceedings.

Hawaii–Circuit Court–Total **civil** filed and disposed data include **criminal postconviction remedy proceedings** and some **criminal** and **traffic/other violation** cases.

Illinois–Circuit Court–Total **civil** filed and disposed data include **miscellaneous criminal** cases.

Iowa–District Court–Total **civil** filed data include **postconviction remedy proceedings.**

Kentucky–Circuit Court–Total **civil** filed and disposed data include some **postconviction remedy proceedings.**

Louisiana–District Court–Total **civil** filed data include **postconviction remedy proceedings.**

Missouri–Circuit Court–Total **civil** filed data include **postconviction remedy proceedings.**

New Mexico–District Court--Total **civil** filed and disposed data include **postconviction remedy proceedings.**

Ohio–Court of Common Pleas–Total **civil** filed and disposed data include **postconviction remedy proceedings.**

Oregon–Circuit Court--Total **civil** filed data include **criminal appeals** cases and **postconviction remedy proceedings.**

Rhode Island–Superior Court–Total **civil** filed and disposed data include **postconviction remedy proceedings.**

South Carolina--Circuit Court–Total **civil** filed and disposed data include **criminal appeals** and **postconviction remedy proceedings.**

Tennessee–Circuit, Criminal, and Chancery Court--Total **civil** filed and disposed data include **postconviction remedy proceedings** and **miscellaneous criminal** cases.

Texas–District Court--Total **civil** filed and disposed data include **child-victim petition** cases and some other proceedings.

–County-Level Courts--Total **civil** filed and disposed data include **child-victim petition** cases.

Utah–District Court--Total **civil** filed data include **postconviction remedy proceedings.**

Washington–Superior Court–Total **civil** filed and disposed data include **postconviction remedy proceedings.**

Wisconsin–Circuit Court–Total **civil** filed and disposed data include **criminal appeals** cases.

Wyoming--District Court--Total **civil** filed data include **criminal appeals** cases and **postconviction remedy proceedings**. Total **civil** disposed data include **criminal appeals**, **juvenile** cases and **postconviction remedy proceedings**.

C: The following courts' data are incomplete and overinclusive:

Alabama–Circuit Court–Total **civil** filed and disposed data include **postconviction remedy proceedings**, but do not include **URESA** cases.

Connecticut–Superior Court–Total **civil** filed data include **postconviction remedy proceedings**, but do not include some **miscellaneous domestic relations** cases. Disposed data include **postconviction remedy proceedings**, but do not include some **miscellaneous domestic relations**, most **small claims** cases, and are less than 75% complete.

Iowa–District Court--Total **civil** disposed data include **postconviction remedy proceedings**, but do not include a few **domestic relations** cases.

Missouri–Circuit Court–Total **civil** disposed data include **postconviction remedy proceedings**, but do not include **adoption** and **miscellaneous domestic relations** cases.

New York–Supreme and County Courts--Total **civil** filed and disposed data include **postconviction remedy proceedings**, but do not include **civil appeals** cases.

Oregon–Circuit Court--Total **civil** disposed data include **criminal appeals** and **postconviction remedy proceedings**, but do not include **adoption** and **mental health** cases.

Puerto Rico–Superior Court–Total **civil** filed and disposed data include transfers and reopened cases, but do not include **URESA** cases.

–District Court--Total **civil** filed and disposed data include transfers and reopened cases, but do not include **small claims** cases.

Utah–District Court--Total **civil** disposed data include **postconviction remedy proceedings**, but do not include some cases. Conversion from a manual to an automated data system is incomplete, and disposition data, at present, is incomplete.

TABLE 10: Reported Total State Trial Court Criminal Caseload, 1988

State/Court name:	Juris-diction	Unit of count	Point of filing	Total criminal filings and qualifying footnotes	Total criminal dispositions and qualifying footnotes	Dispo-sitions as a percen-tage of filings	Filings per 100,000 adult popula-tion
ALABAMA							
Circuit	G	G	A	34,161 B	31,410 B	92	1,143
District	L	B	B	118,373 B	109,866 B	93	3,962
Municipal	L	M	B	NA	NA		
State Total							
ALASKA							
Superior	G	B	A	2,526 A	2,392 A	95	710
District	L	B	B	25,762 B	24,629 B	96	7,237
State Total				28,288 *	27,021 *	96	7,946
ARIZONA							
Superior	G	D	A	25,297	24,171	96	997
Justice of the Peace	L	Z	B	65,102 A	56 639 A	87	2,566
Municipal	L	Z	B	239,790	225,049	94	9,452
State Total				330,189 *	305,859 *	93	13,015
ARKANSAS							
Circuit	G	A	A	29,193	31,999 B		1,673
City	L	A	B	6,537 B	4,567 B	70	375
Municipal	L	A	B	131,860 C	104,355 C	79	7,556
Police	L	A	B	NA	NA		
State Total							
CALIFORNIA							
Superior	G	B	A	119,441	114,718	96	574
Justice	L	B	B	60,126 C	47,021 C	78	289
Municipal	L	B	B	913,008 C	755,147 C	83	4,385
State Total				1,092,575 *	916,886 *	84	5,247
COLORADO							
District, Denver Juvenile, Denver Probate	G	D	B	18,431 B	18,021 B	98	758
County	L	D	B	42,265 C	40,558 C	96	1,738
State Total				60,696 *	58,579 *	97	2,496
CONNECTICUT							
Superior	G	E	A	159,858 C	152,599 C	95	6,459
DELAWARE							
Superior	G	B	A	4,342 B	4,528 B	104	879
Alderman's	L	A	B	3,875 B	3,701 B	96	784
Court of Common Pleas	L	A	B	26,393 A	26,301 A	100	5,343
Family	L	B	B	4,098	4,112	100	830
Justice of the Peace	L	A	B	45,547 A	45,723 A	100	9,220
Municipal Court of Wilmington	L	A	B	14,707 C	14,596 C	99	2,977
State Total				98,962 *	98,961 *	100	20,033

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TABLE 10: Reported Total State Trial Court Criminal Caseload, 1988. (continued)

State/Court name:	Jurisdiction	Unit of count	Point of filing	Total criminal filings and qualifying footnotes	Total criminal dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 adult population
DISTRICT OF COLUMBIA							
Superior	G	B	G	42,036 A	40,944 A	97	8,758
FLORIDA							
Circuit	G	E	A	185,709	164,933	89	1,947
County	L	A	B	394,444	340,390	86	4,135
State Total				580,153	505,323	87	6,081
GEORGIA							
Superior	G	G	A	77,551 B	71,104 B	92	1,698
Civil	L	M	M	NA	NA		
County Recorder's	L	M	M	NA	NA		
Magistrate's	L	B	B	NA	NA		
Municipal	L	M	M	NA	NA		
Municipal and City of Atlanta	L	M	M	NA	NA		
Probate	L	B	A	3,070 A	2,827 A	92	67
State	L	G	A	67,972 A	53,729 A	79	1,489
State Total							
HAWAII							
Circuit	G	G	B	5,667 A	3,029 A	53	698
District	L	A	C	32,847 A	30,372 A	92	4,045
State Total				38,514 *	33,401 *	87	4,743
IDAHO							
District	G	D	F	56,391 B	54,205 B	96	8,067
ILLINOIS							
Circuit	G	G	A	569,124 C	553,052 C	97	6,611
INDIANA							
Superior and Circuit	G	B	A	79,494 A	75,893 A	95	1,942
City and Town	L	B	F	35,523 B	39,353 B	111	868
County	L	B	F	46,854	47,019	100	1,144
Municipal Court of Marion County	L	B	F	52,437	50,553	96	1,281
State Total				214,308 *	212,818 *	99	5,235
IOWA							
District	G	B	A	49,704 A	46,963 A	94	2,345
KANSAS							
District	G	B	C	35,853	38,012	106	1,946
Municipal	L	B	C	4,047 A	4,559 A	113	220
State Total				39,900 *	42,571 *	107	2,166

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TABLE 10: Reported Total State Trial Court Criminal Caseload, 1988. (continued)

State/Court name:	Jurisdiction	Unit of count	Point of filing	Total criminal filings and qualifying footnotes	Total criminal dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 adult population
KENTUCKY							
Circuit	G	B	A	12,812 B	12,706 B	99	467
District	L	B	F	142,731 C	135,180 C	95	5,200
State Total				155,543 *	147,886 *	95	5,666
LOUISIANA							
District	G	Z	A	89,897 A	NA		2,890
City and Parish	L	B	F	128,076 C	108,527 C	85	4,117
State Total				217,973 *			7,007
MAINE							
Superior	G	E	A	8,730 C	7,965 C	91	969
District	L	E	F	35,366 C	31,428 C	89	3,925
State Total				44,096 *	39,393 *	89	4,894
MARYLAND							
Circuit	G	B	A	57,753 B	51,880 B	90	1,661
District	L	B	A	198,587	144,061 A		5,711
State Total				256,340 *	195,941 *		7,372
MASSACHUSETTS							
Trial Court of the Commonwealth	G	D	B	357,273 A	9,275 A		7,842
MICHIGAN							
Circuit	G	B	A	54,789	54,644	100	807
District	L	B	B	261,611 C	239,591 C	92	3,855
Municipal	L	B	B	3,416 C	3,318 C	97	50
State Total				319,816 *	297,553 *	93	4,713
MINNESOTA							
District	G	B	B	182,288 C	177,165 C	97	5,720
MISSOURI							
Circuit	G	H	A	124,048	110,604	89	3,239
MONTANA							
District	G	G	A	3,400 B	3,754 B		582
City	L	B	B	NA	NA		
Justice of the Peace	L	B	B	NA	NA		
Municipal	L	B	B	NA	NA		
State Total							
NEBRASKA							
District	G	B	A	5,748 B	5,103 B	89	488
County	L	B	F	67,867 C	64,457 C	95	5,756
State Total				73,615 *	69,560 *	94	6,244

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TABLE 10: Reported Total State Trial Court Criminal Caseload, 1988. (continued)

State/Court name:	Jurisdiction	Unit of count	Point of filing	Total criminal filings and qualifying footnotes	Total criminal dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 adult population
NEVADA							
District	G	Z	A	8 A	NA		
Justice	L	Z	B	NA	NA		
Municipal	L	Z	B	NA	NA		
State Total							
NEW HAMPSHIRE							
Superior	G	A	A	8,810 A	7,076		1,086
District	L	A	B	46,692 A	NA		5,757
Municipal	L	A	B	978 A	NA		121
State Total				56,480 *			6,964
NEW JERSEY							
Superior	G	B	A	47,063	42,131	90	799
Municipal	L	B	B	370,863	342,241	92	6,298
State Total				417,926	384,372	92	7,097
NEW MEXICO							
District	G	E	A	10,256	9,748	95	970
Magistrate	L	E	B	41,200 B	35,366 B	86	3,898
Metropolitan Ct of Bernalillo County	L	E	B	44,116 C	50,524 C	115	4,174
State Total				95,572 *	95,638 *	100	9,042
NEW YORK							
Supreme and County	G	E	A	67,177 A	64,611 A	96	496
District and City	L	E	D	228,143 B	207,143 B	91	1,683
Town and Village Justice	L	E	B	NA	NA		
Criminal Court of the City of New York	L	E	D	282,525 A	269,263 A	95	2,084
State Total							
NORTH CAROLINA							
Superior	G	E	A	88,948	85,123	96	1,832
District	L	E	G	529,319 C	515,138 C	97	10,905
State Total				618,267 *	600,261 *	97	12,737
NORTH DAKOTA							
District	G	B	A	1,554 B	1,561 B	100	321
County	L	E	F	16,301 A	17,058 A	105	3,368
Municipal	L	B	B	NA	NA		
State Total							
OHIO							
Court of Common Pleas	G	B	C	43,613	42,604	98	543
County	L	B	E	40,751 B	39,384 B	97	507
Mayor's	L	M	M	NA	NA		
Municipal	L	B	E	389,278 B	394,236 B	101	4,847
State Total							

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TABLE 10: Reported Total State Trial Court Criminal Caseload, 1988. (continued)

State/Court name:	Jurisdiction	Unit of count	Point of filing	Total criminal filings and qualifying footnotes	Total criminal dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 adult population
OKLAHOMA							
District	G	J	A	68,096 B	60,873 B	89	2,887
OREGON							
Circuit	G	E	G	26,859 A	25,142 A	94	1,291
District	L	E	G	62,416 A	57,205 A	92	3,001
Justice	L	E	B	7,709 B	7,821 B	101	371
Municipal	L	A	B	30,321 C	27,291 C	90	1,458
State Total				127,305 *	117,459 *	92	6,120
PENNSYLVANIA							
Court of Common Pleas	G	B	A	113,605 A	109,698 A	97	1,241
District Justice Court	L	B	B	502,798 B	398,041 B	79	5,493
Philadelphia Municipal Court	L	B	B	41,577 C	42,474 C	102	454
Pittsburgh City Magistrates Court	L	B	B	15,513 C	NA		169
State Total				673,493 *			7,358
PUERTO RICO							
Superior	G	J	B	32,316 B	31,036 B	96	1,569
District	L	J	B	47,933 C	45,748 C	95	2,327
State Total				80,249 *	76,784 *	96	3,896
RHODE ISLAND							
Superior	G	D	A	7,863	6,366	81	1,031
District	L	D	B	39,671 C	34,918 C	88	5,199
State Total				47,534 *	41,284 *	87	6,230
SOUTH CAROLINA							
Circuit	G	B	A	58,871 A	53,762 A	91	2,334
Magistrate	L	B	E	124,950 C	133,383 C	107	4,954
Municipal	L	B	E	76,725 A	NA		3,042
State Total				260,546 *			10,331
SOUTH DAKOTA							
Circuit	G	B	B	33,869	15,730 A		6,564
TENNESSEE							
Circuit, Criminal, and Chancery	G	Z	A	57,747 A	48,040 A	83	1,585
General Sessions	L	M	M	NA	NA		
Municipal	L	M	M	NA	NA		
State Total							
TEXAS							
District	G	B	A	140,929 B	132,882		1,189
County-Level	L	B	F	429,728	362,046 A		3,625
Justice of the Peace	L	A	B	577,484 A	399,615 A	69	4,872
Municipal	L	A	B	509,947 A	449,731 A	88	4,302
State Total				1,658,088 *	1,344,274 *		13,988

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TABLE 10: Reported Total State Trial Court Criminal Caseload, 1988. (continued)

State/Court name:	Juris-diction	Unit of count	Point of filing	Total criminal filings and qualifying footnotes	Total criminal dispositions and qualifying footnotes	Dispo-sitions as a percen-tage of filings	Filings per 100,000 adult popula-tion
UTAH							
District	G	J	A	4,182 B	3,705 C		395
Circuit	L	B	A	63,191 C	54,136 C	86	5,967
Justice	L	B	B	52,500 C	44,329 C	84	4,958
State Total				119,873 *	102,170 *		11,319
VERMONT							
District	G	D	C	21,299 B	21,267 B	100	5,120
Superior	G	I	I	112	112	100	27
State Total				21,411 *	21,379 *	100	5,147
VIRGINIA							
Circuit	G	A	A	82,623 B	78,909 B	96	1,817
District	L	A	E	438,457 A	439,845 A	100	9,645
State Total				521,080 *	518,754 *	100	11,462
WASHINGTON							
Superior	G	G	A	26,793	22,792	85	775
District	L	C	B	119,735 A	93,740 A	78	3,463
Municipal	L	C	B	89,809	59,512	66	2,597
State Total				236,337 *	176,044 *	74	6,834
WEST VIRGINIA							
Circuit	G	J	A	6,605 B	7,042 B	107	472
Magistrate	L	J	E	137,163 A	142,279 A	104	9,804
Municipal	L	A	B	NA	NA		
State Total							
WISCONSIN							
Circuit	G	D	C	71,439 A	66,469 A	93	1,995
Municipal	L	A	B	NA	NA		
State Total							
WYOMING							
District	G	J	A	1,480 A	1,427 A	96	438
County	L	J	B	13,314 A	NA		3,939
Justice of the Peace	L	J	B	2,752 A	NA		814
Municipal	L	A	B	1,502	NA		444
State Total				19,048 *			5,636

TABLE 10. Reported Total State Trial Court Criminal Caseload, 1988. (continued)

NOTE: The trial courts of Mississippi are not included in this table, as neither criminal caseload nor court jurisdiction information is available for 1988. All other state trial courts with criminal jurisdiction are listed in the table regardless of whether caseload data are available. Blank spaces in the table indicate that a particular calculation, such as the total state caseload, is not appropriate. State total "filings per 100,000 population" may not equal the sum of the filing rates for the individual courts due to rounding.

NA = Data are not available.

JURISDICTION CODES:

G = General Jurisdiction
L = Limited Jurisdiction

UNIT OF COUNT CODES:

M = Missing Data
I = Data element is inapplicable
A = Single defendant--single charge
B = Single defendant--single incident (one/more charges)
C = Single defendant--single incident/maximum number charges (usually two)
D = Single defendant--one/more incidents
E = Single defendant--content varies with prosecutor
F = One/more defendants--single charge
G = One/more defendants--single incident (one/more charges)
H = One/more defendants--single incident/maximum number charges (usually two)
J = One/more defendants--one/more incidents
K = One/more defendants--content varies with prosecutor
L = Inconsistent during reporting year
Z = Both the defendant and charge components vary within the state

POINT OF FILING CODES:

M = Missing Data
I = Data element is inapplicable
A = At the filing of the information/indictment
B = At the filing of the complaint
C = When defendant enters plea/initial appearance
D = When docketed
E = At issuing of warrant
F = At filing of information/complaint
G = Varies (at filing of the complaint, information, indictment)

QUALIFYING FOOTNOTES:

The absence of a qualifying footnote indicates that data are complete.

*See the qualifying footnote for each court within the state. Each footnote has an impact on the state's total.

A: The following courts' data are incomplete:

Alaska--Superior Court--Total **criminal** filed and disposed data do not include **criminal appeals** cases.

Arizona--Justice of the Peace Court--Total **criminal** filed and disposed data do not include **limited felony** cases.

Delaware--Court of Common Pleas--Total **criminal** filed and disposed data do not include most **felony** cases.
--Justice of the Peace Court--Total **criminal** filed and disposed data do not include most **DWI/DUI** cases.

District of Columbia--Superior Court--Total **criminal** filed and disposed data do not include **DWI/DUI** cases.

Georgia--Probate Court--Total **criminal** filed and disposed data include cases from 75 of 159 counties, do not include **DWI/DUI** cases, which are reported with **traffic/other violation** data, and are less than 75% complete.
--State Court--Total **criminal** filed and disposed data include cases from 24 of 63 courts, do not include some **DWI/DUI** cases, which are reported with **traffic/other violation** data, and are less than 75% complete.

Hawaii--Circuit Court--Total **criminal** filed and disposed data do not include reopened prior cases.
--District Court--Total **criminal** filed and disposed data do not include some **misdemeanor** cases.

Indiana--Superior and Circuit Courts--Total **criminal** filed and disposed data do not include **criminal appeals** cases.

Iowa--District Court--Total **criminal** filed and disposed data do not include some **misdemeanor** cases.

Kansas--Municipal Court--Total **criminal** filed and disposed data represent 119 of 390 municipal courts.

Louisiana--District Court--This figure is estimated by the State Court Administrator's Office on the basis that 75% of **criminal** cases reported are **traffic** cases. Filed data do not include **DWI/DUI** cases.

Maryland--District Court--Total **criminal** disposed data do not include **DWI/DUI** cases.

Massachusetts--Trial Court of the Commonwealth--Total **criminal** filed data do not include some **misdemeanor** and some **DWI/DUI** cases. Disposed data do not include **felony, misdemeanor, DWI/DUI, miscellaneous criminal** and some **criminal appeals** cases, and are less than 75% complete.

Nevada--District Court--Total **criminal** filed data do not include **felony, misdemeanor, DWI/DUI,** and **miscellaneous criminal** cases, and are less than 75% complete.

New Hampshire--Superior Court--Total **criminal** filed data do not include some **criminal appeals** cases.
--District Court--Total **criminal** filed data do not include **limited felony** cases.
--Municipal Court--Total **criminal** filed data do not include **limited felony** cases.

New York--Supreme and County Courts--Total **criminal** filed and disposed data do not include **criminal appeals** cases.
--Criminal Court of the City of New York--Total **criminal** filed and disposed data do not include **limited felony** cases.

North Dakota--County Court--Total **criminal** filed and disposed data do not include **limited felony** cases.

Oregon--Circuit Court--Total **criminal** filed and disposed data do not include **criminal appeals** cases.
--District Court--Total **criminal** filed and disposed data do not include **limited felony** cases.

Pennsylvania--Court of Common Pleas--Total **criminal** filed and disposed data do not include some **criminal appeals** cases.

South Carolina--Circuit Court--Total **criminal** filed and disposed data do not include **criminal appeals** cases.
--Municipal Court--Total **criminal** filed data do not include **limited felony** cases.

South Dakota--Circuit Court--Total **criminal** disposed data do not include most **misdemeanor** and some **criminal appeals** cases, and are less than 75% complete.

Tennessee--Circuit, Criminal, and Chancery Courts--Total **criminal** filed data do not include **miscellaneous criminal** cases. Disposed data do not include **DWI/DUI** and **miscellaneous criminal** cases.

Texas--County-Level Courts--Total **criminal** disposed data do not include some **criminal appeals** cases.

–Justice of the Peace Court–Total **criminal** filed and disposed data do not include **limited felony** cases and represent a reporting rate of 80%.
–Municipal Court–Total **criminal** filed and disposed data do not include **limited felony** cases and represent a 77% reporting rate.
Virginia--District Court--Total **criminal** filed and disposed data do not include **DWI/DUI** cases.
Washington–District Court--Total **criminal** filed and disposed data do not include **limited felony** cases.
West Virginia–Magistrate Court--Total **criminal** filed and disposed data do not include **limited felony** cases.
Wisconsin--Circuit Court–Total **criminal** filed and disposed data do not include any **criminal appeals** cases, or **DWI/DUI** cases from District 1.
Wyoming–District Court--Total **criminal** filed and disposed data do not include **criminal appeals** cases.
–County Court–Total **criminal** filed data do not include **limited felony** cases.
–Justice of the Peace Court–Total **criminal** filed data do not include **limited felony** cases.

B. The following courts' data are overinclusive:
Alabama--Circuit Court–Total **criminal** filed and disposed data include **postconviction remedy proceedings.**
–District Court--Total **criminal** filed and disposed data include **preliminary hearing proceedings.**
Alaska–District Court–Total **criminal** filed and disposed data include some **moving traffic** cases and all **ordinance violation** cases.
Arkansas--Circuit Court--Total **criminal** disposed data include **postconviction remedy** and **probation revocation proceedings.**
–City Court–Total **criminal** filed and disposed data include **ordinance violation** cases.
Colorado–District, Denver Juvenile, and Denver Probate Courts–Total **criminal** filed and disposed data include extraditions, revocations, parole, and release from commitment hearings.
Delaware–Superior Court–Total **criminal** filed and disposed data include **postconviction remedy proceedings.**
–Alderman's Court–Total **criminal** filed and disposed data include **ordinance violation** cases.
Georgia–Superior Court–Total criminal filed and disposed data include all traffic/other violation cases.
Idaho--District Court--Total **criminal** filed and disposed data include **ordinance violations, postconviction remedy** and **sentence review only proceedings**.
Indiana--City and Town Courts--Total **criminal** filed and disposed data include some **ordinance violation** and some other traffic cases.
Kentucky–Circuit Court–Total **criminal** filed and disposed data include **sentence review only** and some **postconviction remedy proceedings.**
Maryland--Circuit Court–Total **criminal** filed and disposed data include some **postconviction remedy proceedings.**
Montana–District Court–Total **criminal** filed data include **appeals of trial court** cases. Disposed data include all **civil appeals** cases.
Nebraska–District Court–Total **criminal** filed and disposed data include **civil appeals** cases and **postconviction remedy proceedings.**
New Mexico–Magistrate Court–Total **criminal** filed and disposed data include **preliminary hearing proceedings**.
New York–District and City Courts–Total **criminal** filed and disposed data include **ordinance violation** cases.
North Dakota–District Court–Total **criminal** filed and disposed data include **sentence review only** and **postconviction remedy proceedings.**
Ohio–County Court–Total **criminal** filed and disposed data include **ordinance violation** cases.
–Municipal Court–Total **criminal** filed and disposed data include **ordinance violation** cases.
Oklahoma--District Court–Total **criminal** filed and disposed data include **ordinance violation** cases.
Oregon--Justice Court--Total **criminal** filed and disposed data include **preliminary hearings.**
Pennsylvania–District Justice Court–Total **criminal** filed and disposed data include **ordinance violation** cases.
Puerto Rico–Superior Court–Total **criminal** filed and disposed data include transfers and reopened cases.
Texas–District Court--Total **criminal** filed data include some other proceedings.
Utah–District Court--Total **criminal** filed data include **postconviction remedy** and all **sentence review only proceedings.**
Vermont–District Court--Total **criminal** filed and disposed data include **ordinance violation** cases.
Virginia--Circuit Court--Total **criminal** filed and disposed data include **ordinance violation** cases.
West Virginia–Circuit Court--Total **criminal** filed and disposed data include **postconviction remedy proceedings**.

C. The following courts' data are incomplete and overinclusive:
Arkansas--Municipal Court–Total **criminal** filed and disposed data include **ordinance violation** cases, but do not include **felony** cases and data from several municipalities.
California–Justice Court–Total **criminal** filed and disposed data include **preliminary hearing** bindovers and transfers, and some **ordinance violation** cases, but do not include **DWI/DUI** cases.
–Municipal Court–Total **criminal** filed and disposed data include **preliminary hearing** bindovers and transfers and some **ordinance violation** cases, but do not include **DWI/DUI** cases.
Colorado–County Court--Total **criminal** filed and disposed data include some **preliminary hearings**, but do not include **DWI/DUI** cases.
Connecticut–Superior Court–Total **criminal** filed and disposed data include **ordinance violation** cases, but do not include **DWI/DUI** cases.
Delaware–Municipal Court of Wilmington--Total **criminal** filed and disposed data include **ordinance violation** cases, but do not include **limited felony** and most **DWI/DUI** cases.
Illinois–Circuit Court–Total **criminal** filed and disposed data include some **preliminary hearings** and some **ordinance violation** cases, but do not include **DWI/DUI and miscellaneous criminal** cases.
Kentucky–District Court–Total **criminal** filed and disposed data include **ordinance violation** cases and **sentence review only proceedings,** but do not include **limited felony** cases.
Louisiana–City and Parish Courts–Total **criminal** filed and disposed data include **ordinance violation** cases, but do not include **DWI/DUI** cases and are less than 75% complete.
Maine–Superior Court–Total **criminal** filed and disposed data include **ordinance violation** cases, and **postconviction remedy** and **sentence review only proceedings,** but do not include **DWI/DUI** and some **criminal appeals** cases.
–District Court–Total **criminal** filed and disposed data include **preliminary hearings,** do not include **DWI/DUI** and some **misdemeanor** cases, and are less than 75% complete.
Michigan–District Court–Total **criminal** filed and disposed data include **ordinance violation** cases, but do not include **DWI/DUI** cases.
–Municipal Court–Total **criminal** filed and disposed data include **ordinance violation** cases, but do not include **DWI/DUI** cases.

TABLE 10: Reported Total State Trial Court Criminal Caseload, 1988. (continued)

Minnesota--District Court--Total **criminal** filed and disposed data include **ordinance violation** cases, but do not include some **DWI/DUI** cases.Nebraska--County Court--Total **criminal** filed and disposed data include **ordinance violations**, but do not include **limited felony** cases.

New Mexico--Metropolitan Court of Bernalillo County--Total **criminal** filed and disposed data include **ordinance violation** cases, but do not include **limited felony** cases.

North Carolina--District Court--Total **criminal** filed and disposed data include **ordinance violations**, but do not include **limited felony** cases.

Oregon--Municipal Court--Total **criminal** filed and disposed data include **ordinance violation** cases, but do not include **DWI/DUI** cases.

Pennsylvania--Philadelphia Municipal Court--Total **criminal** filed and disposed data include **preliminary hearing proceedings**, but do not include some **misdemeanor** cases.

--Pittsburgh City Magistrates--Total **criminal** filed data include **ordinance violation** cases, but do not include **limited felony** cases.

Puerto Rico--District Court--Total **criminal** filed and disposed data include transfers and reopened cases, and **ordinance violation** cases, but do not include **limited felony** and **DWI/DUI** cases.

Rhode Island--District Court--Total **criminal** filed and disposed data include **moving traffic violation** and **ordinance violation** cases, but do not include **limited felony** cases.

South Carolina--Magistrate Court--Total **criminal** filed and disposed data include **miscellaneous juvenile** cases, but do not include **felony** and **DWI/DUI** cases, and are less than 75% complete. (Filed data were estimated using percentages provided by the AOC).

Utah--District Court--Total **criminal** disposed data include **postconviction remedy** and **sentence review only proceedings**, but do not include some cases. Conversion from a manual to an automated data system is incomplete, and the dispostion data, at present, is incomplete.

--Circuit Court--Total **criminal** filed and disposed data include **postconviction remedy proceedings**, but do not include some **miscellaneous criminal** cases. Disposed data do not include some cases due to conversion from a manual to an automated data system. The conversion process is incomplete, rendering the dispostion data incomplete at the present time.

--Justice Court--Total **criminal** filed and disposed data include some **moving traffic violation** cases, but do not include **limited felony** cases.

TABLE 11: Reported Total State Trial Court Traffic/Other Violation Caseload, 1988

State/court name:	Juris-diction	Parking	Total traffic filings and qualifying footnotes	Total traffic dispositions and qualifying footnotes	Dispo-sitions as a percentage of filings	Filings per 100,000 total population
ALABAMA						
District	L	2	250,547	248,046	99	6,106
Municipal	L	1	NA	NA		
State Total						
ALASKA						
District	L	3	79,818 A	79,818 A	100	15,262
ARIZONA						
Justice of the Peace	L	1	417,153	407,000	98	11,956
Municipal	L	1	914,838	922,055	101	26,221
State Total			1,331,991	1,329,055	100	38,177
ARKANSAS						
City	L	1	16,448 A	9,490 A	58	687
Municipal	L	1	269,605 A	185,842 A	69	11,262
Police	L	1	NA	NA		
State Total						
CALIFORNIA						
Justice	L	3	502,349 C	422,667 C	84	1,774
Municipal	L	3	14,581,727 C	12,316,031 C	84	51,498
State Total			15,084,076 *	12,738,698 *	84	53,272
COLORADO						
County	L	2	202,870 B	195,072 B	96	6,146
Municipal	L	1	NA	NA		
State Total						
CONNECTICUT						
Superior	G	5	225,178 C	221,6[illegible]7 C	98	6,961
DELAWARE						
Alderman's	L	4	21,777 A	21,966 A	101	3,300
Family	L	2	508	438	86	77
Justice of the Peace	L	2	143,538 B	145,174 B	101	21,748
Municipal Court of Wilmington	L	5	19,425 C	19,726 C	102	2,943
State Total			185,248 *	187,304 *	101	28,068
DISTRICT OF COLUMBIA						
Superior	G	6	17,572 B	17,700 B	101	2,843
FLORIDA						
County	L	5	3,416,187	2,884,444	84	27,695

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TABLE 11: Reported Total State Trial Court Traffic/Other Violation Caseload, 1988. (continued)

State/court name:	Jurisdiction	Parking	Total traffic filings and qualifying footnotes	Total traffic dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
GEORGIA						
Superior	G	2	NA	NA		
County Recorder's	L	1	NA	NA		
Juvenile	L	2	12,750	10,015	79	201
Magistrate's	L	2	52,452 A	40,328 A	77	827
Municipal and City of Atlanta	L	1	NA	NA		
Probate	L	2	66,214 C	61,896 C	93	1,044
State	L	2	165,065 C	145,875 C	88	2,603
State Total						
HAWAII						
Circuit	G	2	211 A	248 A	118	19
District	L	4	799,513 B	717,649 B	90	72,749
State Total			799,724 *	717,897 *	90	72,768
IDAHO						
District	G	3	234,196 A	232,644 A	99	23,350
ILLINOIS						
Circuit	G	4	7,472,037 C	3,919,653 C	52	64,348
INDIANA						
Superior and Circuit	G	3	201,341	188,521	94	3,625
City and Town	L	3	152,010 A	152,526 A	100	2,736
County	L	4	133,454	130,657	98	2,402
Municipal Court of Marion County	L	3	112,789	86,237	76	2,030
State Total			599,594 *	557,941 *	93	10,794
IOWA						
District	G	3	703,041 B	697,737 B	99	24,807
KANSAS						
District	G	4	225,619 A	220,359 A	98	9,043
Municipal	L	1	162,025 A	153,017 A	94	6,494
State Total			387,644 *	373,376 *	96	15,537
KENTUCKY						
District	L	3	280,690 A	279,268 A	99	7,533
LOUISIANA						
District	G	1	269,691 B	NA		6,120
City and Parish	L	1	471,805 C	360,150 C	76	10,706
Justice of the Peace	L	1	NA	NA		
Mayor's	L	1	NA	NA		
State Total						

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TABLE 11: Reported Total State Trial Court Traffic/Other Violation Caseload, 1988. (continued)

State/court name:	Juris-diction	Parking	Total traffic filings and qualifying footnotes	Total traffic dispositions and qualifying footnotes	Dispo-sitions as a percentage of filings	Filings per 100,000 total population
MAINE						
Superior	G	2	2,836 C	2,741 C	97	235
District	L	4	221,216 B	214,366 B	97	18,358
State Total			224,052 *	217,107 *	97	18,594
MARYLAND						
District	L	1	1,019,401 A	937,502 C		22,046
MASSACHUSETTS						
Trial Court of the Commonwealth	G	1	1,407,055 C	1,256,763 C		23,897
MICHIGAN						
District	L	4	2,430,269 C	2,384,897 C	98	26,304
Municipal	L	4	49,966 C	45,387 C	91	541
Probate	L	2	NA	NA		
State Total						
MINNESOTA						
District	G	4	1,549,060 C	1,498,169 C	97	35,966
MISSOURI						
Circuit	G	1	445,563 A	428,774 A	96	8,665
Municipal	L	2	NA	NA		
State Total						
MONTANA						
City	L	1	NA	NA		
Justice of the Peace	L	1	NA	NA		
Municipal	L	1	NA	NA		
State Total						
NEBRASKA						
County	L	1	297,274 A	298,948 A	101	18,556
NEVADA						
Justice	L	1	NA	NA		
Municipal	L	1	NA	NA		
State Total						
NEW HAMPSHIRE						
District	L	4	274,697	NA		25,294
Municipal	L	4	6,045	NA		557
State Total			280,742			25,851
NEW JERSEY						
Municipal	L	4	5,929,201	5,439,526	92	76,803

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TABLE 11: Reported Total State Trial Court Traffic/Other Violation Caseload, 1988. (continued)

State/court name:	Jurisdiction	Parking	Total traffic filings and qualifying footnotes	Total traffic dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 total population
NEW MEXICO						
Magistrate	L	3	52,330	43,972	84	3,475
Metropolitan Ct of Bernalillo County	L	4	272,477 A	110,214 A		18,093
Municipal	L	1	NA	NA		
State Total						
NEW YORK						
Criminal Court of the City of New York	L	4	93,093 A	94,475 A	101	520
District and City	L	4	1,410,057 A	1,410,057 A	100	7,873
Town and Village Justice	L	1	NA	NA		
State Total						
NORTH CAROLINA						
District	L	6	1,028,252 A	994,387 A	97	15,844
NORTH DAKOTA						
District	G	4	605	NA		91
County	L	1	68,414 A	68,406 A	100	10,257
Municipal	L	1	NA	47,620 C		
State Total						
OHIO						
Court of Common Pleas	G	2	128,454	127,875	100	1,183
County	L	5	223,383 A	216,857 A	97	2,058
Mayor's	L	1	NA	NA		
Municipal	L	5	1,625,822 A	1,630,141 A	100	14,978
State Total						
OKLAHOMA						
District	G	2	193,091 A	176,102 A	91	5,958
Municipal Court Not of Record	L	1	NA	NA		
Municipal Criminal Court of Record	L	1	NA	NA		
State Total						
OREGON						
District	L	1	321,981 A	287,993 A	89	11,641
Justice	L	3	105,185	103,355	98	3,803
Municipal	L	3	197,126 C	185,039 C	94	7,127
State Total			624,292 *	576,387 *	92	22,570
PENNSYLVANIA						
District Justice Court	L	4	1,409,052 A	1,306,175 A	93	11,741
Philadelphia Municipal Court	L	2	27,211 B	26,432 B	97	227
Philadelphia Traffic Court	L	1	1,012,811	306,005	30	8,439
Pittsburgh City Magistrates Court	L	4	379,567 A	NA		3,163
State Total			2,828,641 *			23,570

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TABLE 11: Reported Total State Trial Court Traffic/Other Violation Caseload, 1988. (continued)

State/court name:	Juris-diction	Parking	Total traffic filings and qualifying footnotes	Total traffic dispositions and qualifying footnotes	Dispo-sitions as a percentage of filings	Filings per 100,000 total population
PUERTO RICO						
District	L	2	74,326 C	70,343 C	95	2,256
Municipal	L	1	NA	NA		
State Total						
RHODE ISLAND						
District	L	2	NA	NA		
Municipal	L	1	NA	NA		
State Total						
SOUTH CAROLINA						
Family	L	2	NA	NA		
Magistrate	L	4	485,100 B	473,846 B	98	13,976
Municipal	L	4	316,487	390,268 B		9,118
State Total						
SOUTH DAKOTA						
Circuit	G	3	137,653	151,217 B		19,306
TENNESSEE						
Circuit, Criminal, and Chancery	G	2	NA	NA		
General Sessions	L	1	NA	NA		
Municipal	L	1	NA	NA		
State Total						
TEXAS						
County-Level	L	2	18,755	73,331 B		111
Justice of the Peace	L	4	1,569,977 A	1,455,985 A	93	9,323
Municipal	L	4	6,130,211 A	5,369,882 A	88	36,403
State Total			7,718,943 *	6,899,198 *		45,837
UTAH						
Circuit	L	4	236,618 B	211,462 C		14,018
Justice	L	4	243,312 A	228,934 A	94	14,414
Juvenile	L	2	7,494	7,596	101	444
State Total			487,424 *	447,992 *		28,876
VERMONT						
District	G	2	111,937 A	112,229 A	100	20,096
VIRGINIA						
Circuit	G	2	NA	NA		
District	L	4	1,545,649 B	1,543,397 B	100	25,692
State Total						
WASHINGTON						
District	L	4	595,939	636,178	107	12,821
Municipal	L	4	1,131,737	884,195	78	24,349
State Total			1,727,676	1,520,373	88	37,170

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TABLE 11: Reported Total State Trial Court Traffic/Other Violation Caseload, 1988. (continued)

State/court name:	Juris-diction	Parking	Total traffic filings and qualifying footnotes	Total traffic dispositions and qualifying footnotes	Dispo-sitions as a percentage of filings	Filings per 100,000 total population
WEST VIRGINIA						
Magistrate	L	2	102,677	97,524	95	5,473
Municipal	L	1	NA	NA		
State Total						
WISCONSIN						
Circuit	G	3	553,196	552,794	100	11,397
Municipal	L	3	NA	374,563 C		
State Total				927,357 *		
WYOMING						
County	L	1	80,510	86,973 B		16,808
Justice of the Peace	L	1	15,213	17,805 B		3,176
Municipal	L	1	NA	NA		
State Total						

TABLE 11: Reported Total State Trial Court Traffic/Other Violation Caseload, 1988. (continued)

NOTE: Parking violations are defined as part of the traffic/other violation caseload. However, states and courts within a state differ to the extent in which parking violations are processed through the courts. A code opposite the name of each court indicates the manner in which parking cases are reported by the court. Qualifying footnotes in Table 11 do not repeat the information provided by the code, and thus refer only to the status of the statistics on moving traffic, miscellaneous traffic, and ordinance violations. The trial courts of Mississippi are not included in this table as neither traffic/other violation caseload nor court jurisdiction information is available for 1988. All other state trial courts with traffic/other violation jurisdiction are listed in the table regardless of whether caseload data are available. Blank spaces in the table indicate that a particular calculation, such as the total state caseload, is not appropriate. State total "filings per 100,000 population" may not equal the sum of the filing rates for the individual courts due to rounding.

NA = Data are not available.

JURISDICTION CODES:

G = General Jurisdiction
L = Limited Jurisdiction

PARKING CODES:

1 = Parking data are unavailable
2 = Court does not have parking jurisdiction
3 = Only contested parking cases are included
4 = Both contested and uncontested parking cases are included
5 = Parking cases are handled administratively
6 = Uncontested parking cases are handled administratively; contested parking cases are handled by the Court

QUALIFYING FOOTNOTES:

The absence of a qualifying footnote indicates that data are complete.

*See the qualifying footnote for each court within the state. Each footnote has an impact on the state's total.

A: The following courts' data are incomplete:

Alaska--District Court--Total **traffic/other violation** filed and disposed data do not include some **moving traffic violation** cases and all **ordinance violation cases**.

Arkansas--City Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation cases**.
--Municipal Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation cases**, and are missing all data from 10 municipalities, and partial data from 21 others.

Delaware--Alderman's Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation cases**.

Georgia--Magistrate Court--Total **traffic/other violation** filed and disposed data do not include any cases from 19 counties, and partial data from 11 counties.

Hawaii--Circuit Court--Total **traffic/other violation** filed and disposed data do not include reopened prior cases.

Idaho--District Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation** and **parking** cases, and are less than 75% complete.

Indiana--City and Town Courts--Total **traffic/other violation** filed and disposed data do not include some **ordinance violation** and some other traffic cases.

Kansas--District Court--Total **traffic/ other violation** filed and disposed data do not include juvenile traffic cases.
--Municipal Court--Total **traffic/other violation** data represent 119 of 390 municipal courts.

Kentucky--District Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation** cases.

Maryland--District Court--Total **traffic/other violation** filed data do not include **ordinance violation** and **parking** cases, and are less than 75% complete.

Missouri--Circuit Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation** and **parking** cases heard by Municipal judges.

Nebraska--County Court--Total **traffic/other violation** data do not include **ordinance violation** and **parking** cases.

New Mexico--Metropolitan Court of Bernalillo County--Total **traffic/other violation** filed data do not include **ordinance violation** cases. Disposed data do not include **ordinance violation** and **miscellaneous traffic** cases.

New York--District and City Courts--Total **traffic/other violation** filed and disposed data do not include **ordinance violation** cases.
--Criminal Court of the City of New York--Total **traffic/other violation** filed and disposed data do not include **moving traffic, miscellaneous traffic,** and some **ordinance violation** cases, and are less than 75% complete.

North Carolina--District Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation** cases.

North Dakota--County Court--Total **traffic/other violation** data do not include **parking** cases, and are less than 75% complete.

Ohio--County Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation** cases.
--Municipal Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation** cases.

Oklahoma--District Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation** cases.

Oregon--District Court--Total **traffic/other violation** filed and disposed data do not include **parking** cases.

Pennsylvania--District Justice Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation** cases.
--Pittsburgh City Magistrates--Total **traffic/other violation** filed data do not include **ordinance violation** cases.

Texas--Justice of the Peace Court--Total **traffic/other violation** filed and disposed data do not include some cases due to a reporting rate of 80%.
--Municipal Court--Total **traffic/other violation** filed and disposed data do not include some cases due to a reporting rate of 77%.

Utah--Justice Court--Total **traffic/other violation** filed and disposed data data do not include some **moving traffic** cases.

Vermont--District Court--Total **traffic/other violation** filed and disposed data do not include **ordinance violation** cases.

B: The following courts' data are overinclusive:

Colorado--County Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases.

Delaware--Justice of the Peace Court--Total **traffic/other violation** filed and disposed data include most of the **DWI/DUI** cases.

TABLE 11: Reported Total State Trial Court Traffic/Other Violation Caseload, 1988. (continued)

District of Columbia--Superior Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases.

Hawaii--District Court--Total **traffic/other violation** filed and disposed data include some **misdemeanor** cases.

Iowa--District Court--Total **traffic/other violation** filed and disposed data include some **misdemeanor** cases.

Louisiana--District Court--This figure is estimated by the State Court Administrator's Office on the basis that 75% of criminal cases reported (359,588) are traffic cases. Data include **DWI/DUI** cases.

Maine--District Court--Total **traffic/other violation** filed and disposed data include some **misdemeanor** and all **DWI/DUI** cases.

Pennsylvania--Philadelphia Municipal Court--Total **traffic/other violation** filed and disposed data include **miscellaneous domestic relations** and some **misdemeanor** cases.

South Carolina--Magistrate Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases.
--Municipal Court--Total **traffic/other violation** disposed data include **misdemeanor** and **DWI/DUI** cases.

South Dakota--Circuit Court--Total **traffic/other violation** disposed data include some **misdemeanor** and some **criminal appeals** cases.

Texas--County-Level Courts--Total **traffic/other violation** disposed data include some **criminal appeals** cases.

Utah--Circuit Court--Total **traffic/other violation** filed data include some **miscellaneous criminal** cases.

Virginia--District Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases.

Wyoming--County Court--Total **traffic/other violation** disposed data include **misdemeanor** and **DWI/DUI** cases.
--Justice of the Peace Court--Total **traffic/other violation** disposed data include **misdemeanor**, **DWI/DUI**, and **criminal appeals** cases.

C: The following courts' data are incomplete and overinclusive:

California--Justice Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases, but do not include some **ordinance violation** cases.
--Municipal Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases, but do not include some **ordinance violation** cases.

Connecticut--Superior Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases, but do not include **ordinance violation** cases.

Delaware--Municipal Court of Wilmington--Total **traffic/other violation** filed and disposed data include most **DWI/DUI** cases, but do not include **ordinance violation** cases.

Georgia--State Court--Total **traffic/other violation** filed and disposed data include some **DWI/DUI** cases, represent data from 24 of 63 courts, and are less than 75% complete.
--Probate Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases, represent data from 75 of 159 counties, and are less than 75% complete.

Illinois--Circuit Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases, but do not include **ordinance violation** cases from Cook County and **parking** cases from anywhere but Cook County.

Louisiana--City and Parish Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases, but do not include **ordinance violation** cases.

Maine--Superior Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** and some **criminal appeals** cases, but do not include **ordinance violation** cases.

Maryland--District Court--Total **traffic/other violation** disposed data include **DWI/DUI** cases, but do not include **ordinance violation** and **parking** cases, and are less than 75% complete.

Massachusetts--Trial Court of the Commonwealth--Total **traffic/other violation** filed data include some **misdemeanor** and some **DWI/DUI** cases, but do not include **parking** cases. Disposed data include some **misdemeanor** cases, but do not include **ordinance violation, parking, miscellaneous traffic** and some **moving traffic** cases.

Michigan--District Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases, but do not include **ordinance violation** cases.
--Municipal Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases, but do not include **ordinance violation** cases.

Minnesota--District Court--Total **traffic/other violation** filed and disposed data include some **DWI/DUI** cases, but do not include **ordinance violation** cases.

North Dakota--Municipal Court--Total **traffic/other violation** disposed data include **DWI/DUI** cases, but do not include **ordinance violation** and **parking** cases, and are less than 75% complete.

Oregon--Municipal Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases, but do not include **ordinance violation** cases.

Puerto Rico--District Court--Total **traffic/other violation** filed and disposed data include **DWI/DUI** cases, transfers, and reopened cases, but do not include **ordinance violation** cases.

Utah--Circuit Court--Total **traffic/other violation** disposed data include some **miscellaneous criminal** cases, but do not include some cases. Conversion from a manual to an automated data system is incomplete and the disposition data, at present, are incomplete.

Wisconsin--Municipal Court--Total **traffic/other violation** disposed data include DWI/DUI cases, but do not include cases from several municipalities.

TABLE 12: Reported Total State Trial Court Juvenile Caseload, 1988

State/court name:	Juris-diction	Point of filing	Total juvenile filings and qualifying footnotes	Total juvenile dispositions and qualifying footnotes	Dispo-sitions as a percentage of filings	Filings per 100,000 juvenile population
ALABAMA						
Circuit	G	A	27,873 B	21,854 B	78	2,500
District	L	A	33,865	31,681	94	3,037
State Total			61,738 *	53,535 *	87	5,537
ALASKA						
Superior	G	C	1,842	1,391	76	1,103
District	L	I	71	33	46	43
State Total			1,913	1,424	74	1,146
ARIZONA						
Superior	G	C	11,368	11,314	100	1,194
ARKANSAS						
Chancery and Probate	G	C	4,106	3,963	97	633
Circuit	G	C	7,015	7,239	103	1,081
State Total			11,121	11,202	101	1,714
CALIFORNIA						
Superior	G	C	85,362	81,898	96	1,139
COLORADO						
District, Denver Juvenile, Denver Probate	G	A	14,645	12,872	88	1,685
CONNECTICUT						
Superior	G	F	13,592	13,560	100	1,788
DELAWARE						
Family	L	C	7,541 A	7,237 A	96	4,543
DISTRICT OF COLUMBIA						
Superior	G	B	13,725	13,781	100	9,946
FLORIDA						
Circuit	G	A	96,311	66,828	69	3,446
GEORGIA						
Juvenile	L	A	57,098	42,586	75	3,215
HAWAII						
Circuit	G	F	17,719	17,175	97	6,174
IDAHO						
District	G	C	6,799	6,708	99	2,237
ILLINOIS						
Circuit	G	C	33,780	25,512	76	1,125

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TABLE 12: Reported Total State Trial Court Juvenile Caseload, 1988. (continued)

State/court name:	Jurisdiction	Point of filing	Total juvenile filings and qualifying footnotes	Total juvenile dispositions and qualifying footnotes	Dispositions as a percentage of filings	Filings per 100,000 juvenile population
INDIANA						
Superior and Circuit	G	C	27,953 B	24,108 B	86	1,913
Probate	L	C	1,325 B	1,337 B	101	91
State Total			29,278 *	25,445 *	87	2,004
IOWA						
District	G	A	6,727	NA		942
KANSAS						
District	G	A	14,241 B	13,723 B	96	2,181
KENTUCKY						
District	L	A	30,113 B	27,147 B	90	3,070
LOUISIANA						
District	G	C	14,222	NA		1,097
Family and Juvenile	G	C	26,219 B	NA		2,023
City and Parish	L	C	9,447	8,817	93	729
State Total			49,888 *			3,849
MAINE						
District	L	C	4,717	4,073	86	1,552
MARYLAND						
Circuit	G	C	32,749	31,311	96	2,855
District	L	C	2,906	2,490	86	253
State Total			35,655	33,801	95	3,109
MASSACHUSETTS						
Trial Court of the Commonwealth	G	C	44,311	22,671 C		3,327
MICHIGAN						
Probate	L	C	26,075 C	23,197 C	89	1,063
MINNESOTA						
District	G	C	67,160	66,982	100	5,996
MISSOURI						
Circuit	G	C	18,062	20,710 B		1,377
MONTANA						
District	G	C	1,375	1,147	83	622
NEBRASKA						
County	L	C	3,849	3,696	96	910
Separate Juvenile	L	C	2,388	NA		565
State Total			6,237			1,474

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TABLE 12: Reported Total State Trial Court Juvenile Caseload, 1988. (continued)

State/court name:	Juris-diction	Point of filing	Total juvenile filings and qualifying footnotes	Total juvenile dispositions and qualifying footnotes	Dispo-sitions as a percentage of filings	Filings per 100,000 juvenile population
NEVADA						
District	G	G	NA	NA		
NEW HAMPSHIRE						
District	L	C	7,632	NA		2,775
NEW JERSEY						
Superior	G	F	125,931 B	124,539 B	99	6,878
NEW MEXICO						
District	G	C	8,133	8,171	100	1,811
NEW YORK						
Family	L	C	58,185	58,505	101	1,336
NORTH CAROLINA						
District	L	C	23,331	24,864	107	1,426
NORTH DAKOTA						
District	G	C	8,515	9,568 B		4,653
OHIO						
Court of Common Pleas	G	E	123,836	120,830	98	4,387
OKLAHOMA						
District	G	G	NA	NA		
OREGON						
Circuit	G	C	18,325	NA		2,671
PENNSYLVANIA						
Court of Common Pleas	G	F	54,758	52,216	95	1,923
PUERTO RICO						
Superior	G	C	7,647 B	7,699 B	101	620
RHODE ISLAND						
Family	L	C	7,158 B	6,514 B	91	3,112
SOUTH CAROLINA						
Family	L	C	14,088 B	13,252 B	94	1,485
Magistrate	L	I	NA	NA		
State Total						
SOUTH DAKOTA						
Circuit	G	B	3,256	NA		1,653

(continued on next page)

TABLE 12: Reported Total State Trial Court Juvenile Caseload, 1988. (continued)

State/court name:	Juris-diction	Point of filing	Total juvenile filings and qualifying footnotes	Total juvenile dispositions and qualifying footnotes	Dispo-sitions as a percentage of filings	Filings per 100,000 juvenile population
TENNESSEE						
General Sessions	L	B	NA	NA		
Juvenile	L	B	NA	NA		
State Total						
TEXAS						
District	G	C	11,443 A	13,787 A	120	230
County-Level	L	C	2,368 A	2,388 A	101	47
State Total			13,811 *	16,175 *	117	277
UTAH						
Juvenile	L	C	36,026	36,220	101	5,728
VERMONT						
District	G	C	1,744	1,672	96	1,237
VIRGINIA						
District	L	A	91,966 B	86,644 B	94	6,256
WASHINGTON						
Superior	G	A	24,247	21,645	89	2,038
WEST VIRGINIA						
Circuit	G	C	7,275	6,450	89	1,525
WISCONSIN						
Circuit	G	C	32,200	31,598	98	2,529
WYOMING						
District	G	C	1,242	NA		881

TABLE 12: Reported Total State Trial Court Juvenile Caseload, 1988. (continued)

NOTE: The trial courts of Mississippi are not included in this table as neither juvenile caseload nor court jurisdiction information is available for 1988. All other state trial courts with juvenile jurisdiction are listed in the table regardless of whether caseload data are available. Blank spaces in the table indicate that a particular calculation, such as the total state caseload, is not appropriate. State total "filings per 100,000 population" may not equal the sum of the filing rates for the individual courts due to rounding.

NA = Data are not available.

JURISDICTION CODES:

G = General Jurisdiction
L = Limited Jurisdiction

POINT OF FILING CODES:

M = Missing Data
I = Data element is inapplicable
A = Filing of complaint
B = At initial hearing (intake)
C = Filing of petition
E = Issuance of warrant
F = At referral
G = Varies

QUALIFYING FOOTNOTES:

The absence of a qualifying footnote indicates that data are complete.

*See the qualifying footnote for each court within the state. Each footnote has an impact on the state's total.

A: The following courts' data are incomplete:
Delaware--Family Court--Total **juvenile** filed and disposed data do not include **status petition** and **child-victim petition** cases, and are less than 75% complete.
Texas--District Court--Total **juvenile** filed and disposed data do not include **child-victim petition** cases.
--County-Level Court--Total **juvenile** filed and disposed data do not include **child-victim petition** cases, and are less than 75% complete.

B: The following courts' data are overinclusive:
Alabama--Circuit Court--Total **juvenile** filed and disposed data include **URESA cases.**
Indiana--Superior and Circuit Courts--Total **juvenile** filed and disposed data include **miscellaneous domestic relations** and some **support/custody cases.**
--Probate Court--Total **juvenile** filed and disposed data include **miscellaneous domestic relations** cases.
Kansas--District Court--Total **juvenile** filed and disposed data include juvenile **traffic/other violation** cases.
Kentucky--District Court--Total **juvenile** filed and disposed data include **paternity/bastardy** cases.
Louisiana--Family and Juvenile Courts--Total **juvenile** filed data include **support/custody, URESA, adoption,** and **mental health cases.**
Missouri--Circuit Court--Total **juvenile** disposed data include **adoption** and **miscellaneous domestic relations** cases (i.e., termination of parental rights).
New Jersey--Superior Court--Total **juvenile** filed and disposed data include termination of parental rights cases.
North Dakota--District Court--Total **juvenile** disposed data include **traffic/other violation cases.**
Puerto Rico--Superior Court--Total **juvenile** filed and disposed data include transfers, reopened cases, and appeals.
Rhode Island--Family Court--Total **juvenile** filed and disposed data include **adoption** cases.
South Carolina--Family Court--Total **juvenile** filed and disposed data include **traffic/other violation** cases.
Virginia--District Court--Total **juvenile** filed and disposed data include some **mental health** and **domestic relations** cases.

C: The following courts' data are incomplete and overinclusive:
Massachusetts--Trial Court of the Commonwealth--Total **juvenile** disposed data include juvenile **traffic/other violation** cases, but do not include any cases from the Juvenile Court Department, and appeals from the District Court Department. The data are less than 75% complete.
Michigan--Probate Court--Total **juvenile** filed and disposed data include **traffic/other violation** cases, but do not include **status petition** cases.

TABLE 13: Mandatory Caseloads in State Appellate Courts, 1984 - 88

State/Court name:	Court type	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
States with one court of last resort and one intermediate appellate court						
ALASKA						
Supreme Court	COLR	320	334	318	368	363
Court of Appeals	IAC	467	446	505	469	435
ARIZONA						
Supreme Court	COLR	105 A	81 A	118 A	116 A	112 A
Court of Appeals	IAC	2,753	2,843	3,352	3,451	3,902
ARKANSAS						
Supreme Court	COLR	479 C	439 C	411 C	459 C	400 C
Court of Appeals	IAC	855	846	951	949	899
CALIFORNIA						
Supreme Court	COLR	222 A	284 A	236 A	315 A	319 A
Courts of Appeal	IAC	10,118	10,252	10,035	9,985	10,954
COLORADO						
Supreme Court	COLR	256	200	205	214	197
Court of Appeals	IAC	1,580	1,626	1,862	1,930	1,946
CONNECTICUT						
Appellate Court	IAC	1,362 B	934 B	953 B	945	995
FLORIDA						
Supreme Court	COLR	587	597	629	581	510
District Courts of Appeal	IAC	11,770	12,262	13,502	13,861	14,195
GEORGIA						
Supreme Court	COLR	663 B	692 B	616 B	640 B	639 B
Court of Appeals	IAC	2,070 B	1,946 B	2,666 B	2,071 B	2306 B
HAWAII						
Supreme Court	COLR	471 B	496 B	604 B	616 B	715 B
Intermediate Court of Appeals	IAC	101	132	132	134	120
IDAHO						
Supreme Court	COLR	349 B	348 B	288 B	289 B	382 B
Court of Appeals	IAC	146	149	174	181	227
ILLINOIS						
Supreme Court	COLR	371	493	563	568	882
Appellate Court	IAC	7,134 B	7,611 B	7,550 B	7,954 B	8,119 B
INDIANA						
Court of Appeals	IAC	1,150 B	1,037 B	1,073 B	1,149 B	1,222 B

State/Court name:	Court type	1984 Number of dispositions and qualifying footnotes	1985 Number of dispositions and qualifying footnotes	1986 Number of dispositions and qualifying footnotes	1987 Number of dispositions and qualifying footnotes	1988 Number of dispositions and qualifying footnotes
States with one court of last resort and one intermediate appellate court						
ALASKA						
Supreme Court	COLR	347	287	355	291	394
Court of Appeals	IAC	449	406	589	429	403
ARIZONA						
Supreme Court	COLR	111 A	87 A	70 A	86 A	79 A
Court of Appeals	IAC	2,598	2,953	3,445	3,372	3,240
ARKANSAS						
Supreme Court	COLR	448 C	451 C	404 C	416 C	457 C
Court of Appeals	IAC	827	895	840	983	827
CALIFORNIA						
Supreme Court				DATA NOT AVAILABLE		
Courts of Appeal				DATA NOT AVAILABLE		
COLORADO						
Supreme Court				DATA NOT AVAILABLE		
Court of Appeals	IAC	1,411	1,396	1,590	1,602	2,028
CONNECTICUT						
Appellate Court	IAC	568 B	877 B	1,055 B	893	1,026
FLORIDA						
Supreme Court	COLR	530	639	644	548	534
District Courts of Appeal	IAC	11,941	12,540	12,847	13,591	13,559
GEORGIA						
Supreme Court				DATA NOT AVAILABLE		
Court of Appeals				DATA NOT AVAILABLE		
HAWAII						
Supreme Court	COLR	454 B	516 B	691 B	579 B	609 B
Intermediate Court of Appeals	IAC	125	105	132	142	129
IDAHO						
Supreme Court	COLR	352 B	333 B	359 B	295 B	332 B
Court of Appeals	IAC	175	282	174	174	162
ILLINOIS						
Supreme Court	COLR	309	496	530	556	911
Appellate Court	IAC	6,891 B	6,961 B	7,007 B	7,451 B	7,648 B
INDIANA						
Court of Appeals	IAC	1,137 B	1,062 B	1,116 B	1,130 B	1,137 B

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TABLE 13: Mandatory Caseloads in State Appellate Courts, 1984 - 88. (continued)

State/Court name:	Court type	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
IOWA						
Court of Appeals	IAC	569	730	552	618	728
KANSAS						
Supreme Court	COLR	169	177	189	214	347
Court of Appeals	IAC	1,041 B	1,087 B	1,131 B	1,127 B	1,176 B
KENTUCKY						
Supreme Court	COLR	221	282	251	261	258
Court of Appeals	IAC	2,725	3,156	2,769	2,691	2,665
LOUISIANA						
Supreme Court	COLR	147 B	79 B	112	135	124
Courts of Appeal	IAC	3,870 B	3,578 B	3,695	3,846	3,967
MARYLAND						
Court of Appeals	COLR	220 B	218 B	238 B	233 B	242 B
Court of Special Appeals	IAC	1,777	1,642	1,644	1,714	1,754
MASSACHUSETTS						
Supreme Judicial Court	COLR	141	129	86	72	96
Appeals Court	IAC	1,375 B	1,301 B	1,352 B	1,434 B	1,394 B
MICHIGAN						
Supreme Court	COLR	5	3	4	5	4
MISSOURI						
Court of Appeals	IAC	2,852	3,166	3,147	3,055	3,315
NEW JERSEY						
Supreme Court	COLR	368	227	236	349	357
Appellate Div. Superior Court	IAC	6,224 B	6,037 B	6,106 B	6,277 B	6,458 B
NEW MEXICO						
Supreme Court	COLR	635	652	744	1,078	1,076
Court of Appeals	IAC	572	662	671	604	648
NORTH CAROLINA						
Supreme Court	COLR	230	222	249	182	147
Court of Appeals	IAC	1,314 B	1,375 B	1,381 B	1,265 B	1,351 B
NORTH DAKOTA						
Supreme Court	COLR	370	338	377	382	367
OHIO						
Supreme Court	COLR	338	442	491	422	500
Court of Appeals	IAC	9,383	9,522	9,683	9,983	10,005

State/Court name:	Court type	1984 Number of dispositions and qualifying footnotes	1985 Number of dispositions and qualifying footnotes	1986 Number of dispositions and qualifying footnotes	1987 Number of dispositions and qualifying footnotes	1988 Number of dispositions and qualifying footnotes
IOWA						
Court of Appeals	IAC	532	637	589	578	669
KANSAS						
Supreme Court	COLR	343	344	331	333	459
Court of Appeals	IAC	1,045 B	989 B	1,106 B	1,143 B	1,174 B
KENTUCKY						
Supreme Court	COLR	280	259	253	271	302
Court of Appeals	IAC	2,696	2,757	2,661	2,304	2,243
LOUISIANA						
Supreme Court				DATA NOT AVAILABLE		
Courts of Appeal				DATA NOT AVAILABLE		
MARYLAND						
Court of Appeals	COLR	230 B	232 B	188 B	222 B	183 B
Court of Special Appeals	IAC	1,877	1,807	1,552	1,777	1,762
MASSACHUSETTS						
Supreme Judicial Court				DATA NOT AVAILABLE		
Appeals Court				DATA NOT AVAILABLE		
MICHIGAN						
Supreme Court				DATA NOT AVAILABLE		
MISSOURI						
Court of Appeals	IAC	3,159	3,177	3,206	3,259	3,145
NEW JERSEY						
Supreme Court	COLR	408	251	237	381	349
Appellate Div. Superior Court	IAC	6,262 B	6,056 B	6,611 B	6,400 B	6,494 B
NEW MEXICO						
Supreme Court				DATA NOT AVAILABLE		
Court of Appeals				DATA NOT AVAILABLE		
NORTH CAROLINA						
Supreme Court	COLR	219	183	245	192	213
Court of Appeals	IAC	1,412 B	1,464 B	1,626 B	1,310 B	1,272 B
NORTH DAKOTA						
Supreme Court	COLR	331	335	357	357	405
OHIO						
Supreme Court	COLR	320	383	414	380	462
Court of Appeals	IAC	9,124	9,491	9,296	9,393	9,668

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TABLE 13: Mandatory Caseloads in State Appellate Courts, 1984 - 88. (continued)

State/Court name:	Court type	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
OREGON						
Supreme Court	COLR	205	180	145	176	192
Court of Appeals	IAC	3,828	3,981	4,146	4,305	3,739
SOUTH CAROLINA						
Supreme Court	COLR	479	451	519	511	624
Court of Appeals	IAC	404	391	351	440	307
UTAH						
Supreme Court	COLR	640	628	623	474	443
WASHINGTON						
Supreme Court	COLR	228 B	194 B	162 B	135 B	123 B
Court of Appeals	IAC	2,866	3,270	3,535	3,238	3,157
WISCONSIN						
Court of Appeals	IAC	2,239	2,358	2,053	2,185	2,147
		States with no intermediate appellate court				
DELAWARE						
Supreme Court	COLR	331 B	406 B	417 B	397 B	473 B
DISTRICT OF COLUMBIA						
Court of Appeals	COLR	1,810 B	1,770 B	1,556	1,500	1,624
MISSISSIPPI						
Supreme Court	COLR	838	815	1,010	891	919
NEBRASKA						
Supreme Court	COLR	1,002 B	997 B	1,014 B	1,196 B	1,103 B
NEVADA						
Supreme Court	COLR	799	777	853	856	991
RHODE ISLAND						
Supreme Court	COLR	409	403	389	323	410
SOUTH DAKOTA						
Supreme Court	COLR	344 B	358 B	363 B	422 B	428 B
VERMONT						
Supreme Court	COLR	623 B	575	550	538	620
WYOMING						
Supreme Court	COLR	331	306	342	320	357

State/Court name	Court type	1984 Number of dispositions and qualifying footnotes	1985 Number of dispositions and qualifying footnotes	1986 Number of dispositions and qualifying footnotes	1987 Number of dispositions and qualifying footnotes	1988 Number of dispositions and qualifying footnotes
OREGON						
Supreme Court	COLR	390 B	296 B	262 B	313 B	322 B
Court of Appeals	IAC	3,759	3,784	4,014	4,232	3,985
SOUTH CAROLINA						
Supreme Court			DATA NOT AVAILABLE			
Court of Appeals	IAC	441	398	374	368	367
UTAH						
Supreme Court			DATA NOT AVAILABLE			
WASHINGTON						
Supreme Court	COLR	176 B	184 B	209 B	148 B	154 B
Court of Appeals	IAC	2,724	2,994	3,238	3,870	3,289
WISCONSIN						
Court of Appeals	IAC	2,223	2,501	2,178	2,206	2,368
States with no intermediate appellate court						
DELAWARE						
Supreme Court	COLR	354 B	373 B	415 B	419 B	407 B
DISTRICT OF COLUMBIA						
Court of Appeals	COLR	1,510 B	1,568 B	1,568 B	1,595	1,602
MISSISSIPPI						
Supreme Court	COLR	637	853	912	831	793
NEBRASKA						
Supreme Court			DATA NOT AVAILABLE			
NEVADA						
Supreme Court	COLR	788	867	854	1,013	922
RHODE ISLAND						
Supreme Court	COLR	447	393	478	402	403
SOUTH DAKOTA						
Supreme Court			DATA NOT AVAILABLE			
VERMONT						
Supreme Court	COLR	532 B	506	535	527	593
WYOMING						
Supreme Court	COLR	250	347	327	302	334

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TABLE 13: Mandatory Caseloads in State Appellate Courts, 1984 - 88. (continued)

State/Court name:	Court type	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
		States with multiple appellate courts at any level				
ALABAMA						
Supreme Court	COLR	745 A	798 A	827 A	998 A	829 A
Court of Civil Appeals	IAC	532	548	530	584	529
Court of Criminal Appeals	IAC	1,400	1,520	1,537	1,695	1,784
OKLAHOMA						
Supreme Court	COLR	789	1,128	788	1,105	809
Court of Appeals	IAC	788	635	971	931	1,362
PENNSYLVANIA						
Supreme Court	COLR	268	142	92	80	121
Commonwealth Court	IAC	4,012	3,554	3,737 A	3,030 A	3,164 A
Superior Court	IAC	5,793 B	5,878 B	5,989 B	6,137 B	6,439 B
TENNESSEE						
Court of Appeals	IAC	951	999	1,173	1,003	994
Court of Criminal Appeals	IAC	868 B	850 B	885 B	811 B	889
TEXAS						
Supreme Court	COLR	0	1	2	3	3
Court of Criminal Appeals	COLR	1,959	1,998	2,221	2,450	3,578
Courts of Appeals	IAC	7,386	7,954	7,832	7,857	8,250

State/Court name	Court type	1984 Number of dispositions and qualifying footnotes	1985 Number of dispositions and qualifying footnotes	1986 Number of dispositions and qualifying footnotes	1987 Number of dispositions and qualifying footnotes	1988 Number of dispositions and qualifying footnotes
States with multiple appellate courts at any level						
ALABAMA						
Supreme Court		DATA NOT AVAILABLE				
Court of Civil Appeals	IAC	536	516	548	518	576
Court of Criminal Appeals	IAC	1,480	1,424	1,745	1,819	1,774
OKLAHOMA						
Supreme Court	COLR	229 A	149 A	174 A	813 B	852 B
Court of Appeals	IAC	801	693	856	728	1,215
PENNSYLVANIA						
Supreme Court		DATA NOT AVAILABLE				
Commonwealth Court		DATA NOT AVAILABLE				
Superior Court	IAC	5,908 B	6,350 B	7,410 B	6,253 B	6,416 B
TENNESSEE						
Court of Appeals	IAC	1,010	1,010	1,330	1,033	1,015 B
Court of Criminal Appeals	IAC	851 B	891 B	946 B	747 B	794 B
TEXAS						
Supreme Court	COLR	0	1	2	3	3
Court of Criminal Appeals	COLR	2,237	2,084	2,027	2,448	3,546
Courts of Appeals	IAC	8,274	7,981	8,161	7,824	7,984

TABLE 13: Mandatory Caseloads in State Appellate Courts, 1984-88. (continued)

COURT TYPE:

COLR = Court of last resort
IAC = Intermediate appellate court

NOTE: NA indicates that the data are unavailable.

QUALIFYING FOOTNOTES:

An absence of a qualifying footnote indicates that the data are complete.

A: The following courts' data are incomplete:
Arizona--Supreme Court--Data do not include mandatory judge disciplinary cases.
California--Supreme Court--Data do not include judge disciplinary cases.
Oklahoma--Supreme Court--Disposed data for 1984-1986 do not include mandatory appeals of final judgments, mandatory disciplinary cases and mandatory interlocutory decisions.
Pennsylvania--Commonwealth Court--Data do not include transfers from the Superior Court and Court of Common Pleas.

B: The following courts' data are overinclusive:
Connecticut--Appellate Court--Data for 1984-1986 include a few discretionary petitions that were granted review.
Delaware--Supreme Court--Data include some discretionary petitions and filed data include discretionary petitions that were granted.
District of Columbia--Court of Appeals--Data for 1984 and 1985 include discretionary petitions that were granted and refiled as appeals.
Georgia--Supreme Court--Total mandatory filed data include a few discretionary petitions that were granted and refiled as appeals.
--Court of Appeals--Total mandatory data include all discretionary petitions that were granted and refiled as appeals.
Hawaii--Supreme Court--Data include a few discretionary petitions granted.
Idaho--Supreme Court--Data include discretionary petitions that were granted.
Illinois--Appellate Court--Data include all discretionary petitions.
Indiana--Court of Appeals--Data include all discretionary petitions.
Kansas--Court of Appeals--Filed data include a few discretionary petitions that were granted. Disposed data include all discretionary petitions.
Louisiana--Supreme Court--Data for 1984 and 1985 include a few discretionary appeals.
--Courts of Appeal--Data for 1984 and 1985 include refiled discretionary petitions that are granted review.
Maryland--Court of Appeals--Data include discretionary petitions that were granted, and refiled as appeals.
Massachusetts--Appeals Court--Data include a few discretionary interlocutory decision petitions.
Nebraska--Supreme Court--Data include discretionary petitions.
New Jersey--Appellate Division of Superior Court--Data include all discretionary petitions that were granted.
North Carolina--Court of Appeals--Mandatory filed data include a few discretionary petitions that were granted and refiled as appeals. Data include some cases where relief, not review, was granted.
Oklahoma--Supreme Court--Data for 1987 and 1988 include granted discretionary petitions that were disposed.
Oregon--Supreme Court--Disposed data include all discretionary petitions that were granted.
Pennsylvania--Superior Court--Data include all discretionary petitions that were granted.
South Dakota--Supreme Court--Data include discretionary advisory opinions.
Vermont--Supreme Court--Data for 1984 include discretionary petitions that were granted and decided.
Washington--Supreme Court--Data include some discretionary petitions.

C: The following courts' data are both incomplete and overinclusive:
Arkansas--Supreme Court--Data include a few discretionary petitions, but do not include mandatory attorney disciplinary cases and certified questions from the federal courts.

TABLE 14: Discretionary Caseloads in State Appellate Courts, 1984 - 88

State/Court name:	Court type	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
States with one court of last resort and one intermediate appellate court						
ALASKA						
Supreme Court	COLR	221	194	313	219	244
Court of Appeals	IAC	63	64	83	54	62
ARIZONA						
Supreme Court	COLR	1,016 B	1,161 B	1,156 B	995 B	1,018 B
Court of Appeals	IAC	50	40	49	51	60
CALIFORNIA						
Supreme Court	COLR	3,991	4,346	4,808	4,558	4,351
Courts of Appeal	IAC	5,838	5,938	6,234	6,732	7,005
COLORADO						
Supreme Court	COLR	813	767	783	756	825
FLORIDA						
Supreme Court	COLR	1,056	1,175	1,097	1,270	1,316
District Courts of Appeal	IAC	1,970	1,975	2,294	2 282	2,285
GEORGIA						
Supreme Court	COLR	941	975	980	1,006	998
Court of Appeals	IAC	623	641	647	733	717
HAWAII						
Supreme Court	COLR	32	41	43	57	45
IDAHO						
Supreme Court	COLR	60	92	77	82	76
ILLINOIS						
Supreme Court	COLR	1,675	1,579	1,637	1,673	1,558
KENTUCKY						
Supreme Court	COLR	986	813	847	693 A	686 A
Court of Appeals	IAC	79	96	94	90	92
LOUISIANIA						
Supreme Court	COLR	2,126 A	2,313 A	2,455	2,673	2,657
Courts of Appeal	IAC	1,842	2,538	3,016	3,541	3,877
MARYLAND						
Court of Appeals	COLR	761	713	607	655	682
Court of Special Appeals	IAC	308	192	240	294	220
MASSACHUSETTS						
Supreme Judicial Court	COLR	1,246	1,336	1,473	336	563

State/Court name:	Court type	1984 Number of dispositions and qualifying footnotes	1985 Number of dispositions and qualifying footnotes	1986 Number of dispositions and qualifying footnotes	1987 Number of dispositions and qualifying footnotes	1988 Number of dispositions and qualifying footnotes
States with one court of last resort and one intermediate appellate court						
ALASKA						
Supreme Court	COLR	220	197	290	231	255
Court of Appeals	IAC	77	54	99	54	66
ARIZONA						
Supreme Court	COLR	1,048 B	1,078 B	1,156 B	1,054 B	905 B
Court of Appeals	IAC	59	45	48	45	63
CALIFORNIA						
Supreme Court		DATA NOT AVAILABLE				
Courts of Appeal		DATA NOT AVAILABLE				
COLORADO						
Supreme Court		DATA NOT AVAILABLE				
FLORIDA						
Supreme Court	COLR	1,060	1,123	1,260	1,223	1,426
District Courts of Appeal	IAC	1,669	1,683	1,751	1,887	1,839
GEORGIA						
Supreme Court		DATA NOT AVAILABLE				
Court of Appeals		DATA NOT AVAILABLE				
HAWAII						
Supreme Court	COLR	35	39	45	58	42
IDAHO						
Supreme Court	COLR	55	99	71	76	84
ILLINOIS						
Supreme Court	COLR	1,715	1,673	1,622	1,633	1,482
KENTUCKY						
Supreme Court	COLR	793	1,044	898	706 A	678 A
Court of Appeals	IAC	73	87	107	71	77
LOUISIANIA						
Supreme Court		DATA NOT AVAILABLE				
Courts of Appeal		DATA NOT AVAILABLE				
MARYLAND						
Court of Appeals	COLR	785	678	700	562	776
Court of Special Appeals	IAC	308	192	185	294	220
MASSACHUSETTS						
Supreme Judicial Court		DATA NOT AVAILABLE				

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TABLE 14: Discretionary Caseloads in State Appellate Courts, 1984 - 88. (continued)

State/Court name:	Court type	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
MICHIGAN						
Supreme Court	COLR	2,347	2,069	2,042	2,082	2,662
MISSOURI						
Supreme Court	COLR	846	981	989	1,033	1,056
NEW JERSEY						
Supreme Court	COLR	1,142 A	1,053 A	1,382 A	1,382 A	1,354 A
NEW MEXICO						
Supreme Court	COLR	174	155	202	301	252
Court of Appeals	IAC	57	68	52	57	64
NORTH CAROLINA						
Supreme Court	COLR	541	620	735	676	636
Court of Appeals	IAC	471	484	546	483	446
OHIO						
Supreme Court	COLR	1,704	1,644	1,733	1,846	1,770
OREGON						
Supreme Court	COLR	870	903	990	1,086	857
UTAH						
Supreme Court	COLR	72	42	51	30	61
VIRGINIA						
Supreme Court	COLR	1,915	1,043	1,193	1,441	1,439
WASHINGTON						
Supreme Court	COLR	881 C	906 C	897 C	1,151 C	947 A
Court of Appeals	IAC	263	320	371	346	372
WISCONSIN						
Supreme Court	COLR	718	761	836	869	915
Court of Appeals	IAC	245	228	241	221	228
		States with no intermediate appellate court				
DELAWARE						
Supreme Court	COLR	5 A	3 A	3 A	4 A	4 A
DISTRICT OF COLUMBIA						
Court of Appeals	COLR	85	81	76	96	61
MISSISSIPPI						
Supreme Court	COLR	2	4	3	2	0

State/Court name:	Court type	1984 Number of dispositions and qualifying footnotes	1985 Number of dispositions and qualifying footnotes	1986 Number of dispositions and qualifying footnotes	1987 Number of dispositions and qualifying footnotes	1988 Number of dispositions and qualifying footnotes
MICHIGAN						
Supreme Court	COLR	2,495 B	2,314 B	2,397 B	2,168 B	2,254 B
MISSOURI						
Supreme Court	COLR	812 A	980 A	953 A	997 A	1,064
NEW JERSEY						
Supreme Court	COLR	1,075 A	1,025 A	1,378 A	1,411 A	1,398 A
NEW MEXICO						
Supreme Court		DATA NOT AVAILABLE				
Court of Appeals		DATA NOT AVAILABLE				
NORTH CAROLINA						
Supreme Court	COLR	465	665	748	637	727
Court of Appeals	IAC	423	462	560	483	446
OHIO						
Supreme Court	COLR	1,293	1,428	1,532	1,598	1,621
OREGON						
Supreme Court		DATA NOT AVAILABLE				
UTAH						
Supreme Court		DATA NOT AVAILABLE				
VIRGINIA						
Supreme Court	COLR	1,919	1,321	1,095	1,169	1,655
WASHINGTON						
Supreme Court	COLR	905 C	907 C	786 C	1,093 C	1,060 A
Court of Appeals	IAC	270	283	317	388	388
WISCONSIN						
Supreme Court	COLR	721 B	699	765	725	866
Court of Appeals	IAC	209	228	241	188	162
States with no intermediate appellate court						
DELAWARE						
Supreme Court	COLR	5 A	2 A	3 A	4 A	3 A
DISTRICT OF COLUMBIA						
Court of Appeals		DATA NOT AVAILABLE				
MISSISSIPPI						
Supreme Court	COLR	2	4	3	2	0

(continued on next page)

TABLE 14: Discretionary Caseloads in State Appellate Courts, 1984 - 88. (continued)

State/Court name:	Court type	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
NEW HAMPSHIRE						
Supreme Court	COLR	603 A	574 A	534 A	516 A	504
RHODE ISLAND						
Supreme Court	COLR	202	288	168	219	189
SOUTH DAKOTA						
Supreme Court	COLR	27 A	17 A	32 A	27 A	35 A
VERMONT						
Supreme Court	COLR	25	19	24	31	32
WEST VIRGINIA						
Supreme Court of Appeals	COLR	1,282	1,372	1,585	2,037	1,621
		States with multiple appellate courts at any level				
ALABAMA						
Supreme Court	COLR	712	606	763	713	765
OKLAHOMA						
Supreme Court	COLR	388	295	340	293	295
TEXAS						
Supreme Court	COLR	1,130	1,169	1,228	1,176	1,243
Court of Criminal Appeals	COLR	1,281	1,360	1,360	1,339	1,416

State/Court name:	Court type	1984 Number of dispositions and qualifying footnotes	1985 Number of dispositions and qualifying footnotes	1986 Number of dispositions and qualifying footnotes	1987 Number of dispositions and qualifying footnotes	1988 Number of dispositions and qualifying footnotes
NEW HAMPSHIRE						
Supreme Court	COLR	550 A	602 A	415 A	451 A	543
RHODE ISLAND						
Supreme Court	COLR	218	219	199	241	178
SOUTH DAKOTA						
Supreme Court			DATA NOT AVAILABLE			
VERMONT						
Supreme Court	COLR	26	20	21	26	32
WEST VIRGINIA						
Supreme Court of Appeals	COLR	1,124	1,268	1,396	1,909	1,775
States with multiple appellate courts at any level						
ALABAMA						
Supreme Court			DATA NOT AVAILABLE			
OKLAHOMA						
Supreme Court			DATA NOT AVAILABLE			
TEXAS						
Supreme Court	COLR	1,034	1,187	1,166	1,261	1,168
Court of Criminal Appeals	COLR	1,081	1,046	1,100	1,672	1,437

TABLE 14: Discretionary Caseloads in State Appellate Courts, 1984-88. (continued)

COURT TYPE:

COLR = Court of last resort
IAC = Intermediate appellate court

QUALIFYING FOOTNOTES:

An absence of a qualifying footnote indicates that the data are complete.

A: The following court's data are incomplete:
  Delaware–Supreme Court--Data do not include some **discretionary interlocutory decision** cases, which are reported with **mandatory jurisdiction** cases.
  Kentucky–Supreme Court--Data for 1987 and 1988 do not include some **discretionary unclassified petitions.**
  Louisiana–Supreme Court--Data for 1984 and 1985 do not include some **discretionary petitions** that are reported with **mandatory jurisdiction** caseload.
  New Hampshire–Supreme Court--Data for 1984-1987 include **discretionary judge disciplinary cases.**
  New Jersey–Supreme Court--Data do not include **discretionary interlocutory decisions.**
  South Dakota–Supreme Court--Data do not include **advisory opinions.**
  Washington–Supreme Court--Data do not include some **cases which are reported with mandatory jurisdiction** cases.

B: The following courts' data are overinclusive:
  Arizona–Supreme Court--Data include **mandatory judge disciplinary cases.**
  Michigan–Supreme Court--Disposed data include a **few mandatory jursidiction cases.**

TABLE 15: Felony Caseloads in State Trial Courts, 1984 - 88

State/Court name:	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
			General jurisdiction courts		
ARIZONA Superior	15,360 A	17,295 A	20,653 A	21,444 A	22,176 A
ARKANSAS Circuit	17,993 B	21,425 B	21,944 B	24,805 B	22,110 B
CALIFORNIA Superior	74,412 B	82,372 B	94,779 B	104,906 B	115,595 B
COLORADO District, Denver Juvenile, Denver Probate	14,783	15,804	16,087	16,223	17,391
CONNECTICUT Superior*	3,879	4,179	4,512	4,985	6,204
DISTRICT OF COLUMBIA Superior	10,583	12,399	16,207	19,986	21,472
HAWAII Circuit*	2,969 C	2,878 C	2,842 C	2,766 C	2,909 C
ILLINOIS Circuit	46,107 B	45,925 B	47,075 B	46,342 B	58,289 B
INDIANA Superior and Circuit*	13,619 B	14,894 B	18,436 B	19,804 B	21,313 B
IOWA District	7,658 B	7,970 B	7,692 B	8,230 B	8,666 B
KANSAS District	11,397	10,470	11,106	11,500	12,188
MAINE Superior	3,189	3,656	3,583	3,612	3,657
MINNESOTA District	12,162	12,771	19,707	21,834	24,116
MISSOURI Circuit	36,056 B	41,935 B	44,989 B	34,971 B	36,965 B
MONTANA District	2,378 C	2,574 C	2,591 C	2,443 C	2,726 C

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TABLE 15: Felony Caseloads in State Trial Courts, 1984 - 88 (continued)

State/Court name:	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
NEW HAMPSHIRE					
Superior	3,813	4,198	4,857	5,527	6,079
NEW JERSEY					
Superior	37,135	37,784	38,443	41,198	43,837
NEW YORK					
Supreme and County*	49,191 B	51,034 B	56,356 B	62,940 B	67,177 B
NORTH CAROLINA					
Superior	42,160	40,915	44,980	51,210	55,284
NORTH DAKOTA					
District	1,284 B	1,312 B	1,390 B	1,487 B	1,497 B
OHIO					
Court of Common Pleas	37,073	36,249	38,374	39,376	43,613
OKLAHOMA					
District	24,178 B	24,673 B	25,782 B	26,438 B	25,997 B
OREGON					
Circuit	19,913	20,682	22,533	24,591	26,859
RHODE ISLAND					
Superior	4,232	4,780	4,360	4,278	6,685
SOUTH DAKOTA					
Circuit	2,606	3,088	3,182	3,275	3,257
TEXAS					
District	87,249	93,968	111,331	119,395	122,903 B
VERMONT					
District	1,837	1,897	2,177	2,111	2,115
Superior	8	6	1	85	112
VIRGINIA					
Circuit	42,642	43,096	45,646	49,481	53,445
WASHINGTON					
Superior	15,432	17,885	19,693	21,071	25,476
WEST VIRGINIA					
Circuit	4,724 B	4,707 B	4,546 B	4,885 B	4,291 B
WISCONSIN					
Circuit	13,607	14,549	14,470	13,802	14,484

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TABLE 15: Felony Caseloads in State Trial Courts, 1984 - 88 (continued)

State/Court name:	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
WYOMING					
District	1,462	1,468	1,466	1,353	1,480
		Limited jurisdiction courts			
CALIFORNIA					
Justice	10,165 B	10,700 B	10,571 B	11,640 B	12,076 B
CALIFORNIA					
Municipal	133,315 B	145,133 B	163,959 B	185,995 B	197,176 B
DELAWARE					
Court of Common Pleas	656 A	520 A	726 A	819 A	804 A
HAWAII					
District	381	230	256	235	229
INDIANA					
County	7,442 B	8,623 B	8,437 B	8,271 B	7,602 B
MICHIGAN					
District	14,194 A	15,782 A	18,568	20,445	20,036
OHIO					
County	856	1,199	1,048	1,139	1,112
Municipal	17,354	16,561	18,371	20,222	23,643

TABLE 15: Felony Caseloads in State Trial Courts, 1984-1988. (continued)

COURT TYPE:

G = General Jurisdiction
L = Limited Jurisdiction

NOTE: The footnoting scheme has been consolidated. Footnotes for 1984-1987 have been translated into the footnote scheme for 1988.

QUALIFYING FOOTNOTES:

A: The following courts' data are incomplete:
- Arizona--Superior Court--Felony data do not include some cases reported with unclassified criminal data.
- Delaware--Court of Common Pleas--Felony data do not include most cases which are reported with preliminary hearings.
- Michigan--District Court--Felony data do not include cases from several courts which were unavailable.

B: The following courts' data are overinclusive:
- Arkansas--Circuit Court--Felony data include DWI/DUI cases.
- California--Superior Court--Felony data include DWI/DUI cases.
  - --Justice Court--Felony data include preliminary hearing bindovers and transfers.
  - --Municipal Court--Felony data include preliminary hearing bindovers and transfers.
- Illinois--Circuit Court--Felony data include preliminary hearings for courts "downstate."
- Indiana--Superior and Circuit Courts--Felony data include DWI/DUI cases.
  - --County Court--Felony data include DWI/DUI cases.
- Iowa--District Court--Felony data include third offense DWI/DUI cases.
- Missouri--Circuit Court--Felony data include some DWI/DUI cases and include **preliminary hearing** proceedings, which are included in the main caseload tables in caseload reports before 1987. The 1988 report excludes those preliminary hearing proceedings.
- New York--Supreme and County Courts--Felony data include DWI/DUI cases.
- North Dakota--District Court--Felony data include sentence review only and postconviction remedy proceedings.
- Oklahoma--District Court--Felony data include some miscellaneous criminal cases.
- Texas--District Court--Felony data include some other proceedings (e.g., motions to revoke).
- West Virginia--Circuit Court--Felony data include postconviction remedy proceedings.

C: The following courts' data are incomplete and overinclusive:
- Hawaii--Circuit Court--Felony data include misdemeanor cases, but do not include reopened prior cases.
- Montana--District Court--Felony data include criminal appeals, but do not include some cases reported with unclassified criminal data.

* Additional information:
- Connecticut--Superior Court--Figures for felony filings do not match those reported in the 1984, 1985 and 1986 State Court Caseload Statistics: Annual Reports. Felony filings have been adjusted to include only triable felonies so as to be comparable to 1987 and 1988 data.
- Hawaii--Circuit Court--Figures for felony filings do not match those reported in the 1984, 1985 and 1986 State Court Caseload Statistics: Annual Reports. Misdemeanor cases have been included to allow comparability with 1987 and 1988 data.
- Indiana--Superior and Circuit Courts--County Court--1985-1988 data are not comparable with previous years' figures due to changes in classification of County Court function.
- New York--Supreme and County Courts--These courts experienced a significant increase in the number of filings due to the change to an individual calendaring system in 1986.

TABLE 16: Tort Caseloads in State Trial Courts, 1984 - 88

State/Court name:	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
			General jurisdiction courts		
ALASKA Superior	nc	2,096	2,344	1,664	937
ARIZONA Superior	9,173	10,748	11,888	12,260	20,490
CALIFORNIA Superior	97,068	112,049	130,206	137,455	132,378
COLORADO District, Denver Juvenile, Denver Probate*	4,199	4,537	6,145	3,666	4,506
FLORIDA Circuit*	26,815 A	29,864 A	34,027 A	33,622 A	34,325 A
HAWAII Circuit	1,611 A	1,676 A	1,749 A	1,785 A	1,736 A
IDAHO District	1,729 A	2,010 A	2,118 A	1,757 A	1,453 A
KANSAS District	4,033	4,061	4,273	4,380	4,595
MAINE Superior	2,083	2,072	2,044	1,786	1,776
MARYLAND Circuit	10,826 A	10,120 A	12,373 A	12,938 A	14,170 A
MICHIGAN Circuit	23,186 A	22,811	32,612	29,756	30,966
MONTANA District	1,640	1,870	1,836	1,792	1,541
NEW JERSEY Superior	41,722 A	42,141 A	45,547 A	46,671 A	56,186 A
NEW YORK Supreme and County	37,847	35,549	32,011	34,249	30,709
NORTH DAKOTA District	550	512	561	551	552

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TABLE 16: Tort Caseloads in State Trial Courts, 1984 - 88 (continued)

State/Court name:	1984 Number of filings and qualifying footnotes	1985 Number of filings and qualifying footnotes	1986 Number of filings and qualifying footnotes	1987 Number of filings and qualifying footnotes	1988 Number of filings and qualifying footnotes
OHIO					
Court of Common Pleas	22,149	25,518	28,225	29,375	28,614
PUERTO RICO					
Superior	3,968	4,388	4,558	4,811	4,077
TENNESSEE					
Circuit, Criminal, and Chancery	11,775	12,565	13,167	13,597	13,501
TEXAS					
District	34,224	37,596	38,238	40,764	36,597
UTAH					
District	1,433 B	1,245 B	2,527 B	1,335 B	1,404 B
WASHINGTON					
Superior	8,997	9,747	19,515	8,007	8,746
			Limited jurisdiction courts		
ALASKA					
District	580 A	860 A	4,069 A	1,071 A	445 A
HAWAII					
District	693	652	738	937	781
OHIO					
County	519	464	463	406	410
Municipal	13,503	12,992	13,999	15,505	15,373
PUERTO RICO					
District	1,550	1,579	1,779	1,729	1,860
TEXAS					
County-Level	7,143	8,242	9,833	11,314	12,188

TABLE 16: Tort Caseloads in State Trial Courts, 1984-88. (continued)

NOTE: The footnoting scheme has been consolidated. Footnotes for 1984-1987 have been translated into the footnote scheme for 1988.

COURT TYPE:

G = General Jurisdiction
L = Limited Jurisdiction

QUALIFYING FOOTNOTES:

nc: The following courts' data are not comparable:

Alaska--Superior Court--District Court--The 1984 data are not comparable to the 1985, 1986, 1987, and 1988 data because torts are separated from the unclassified civil figure in significantly greater quantities during 1985, 1986, 1987 and 1988 than in previous years.

A: The following courts' data are incomplete:

Alaska--District Court--Data do not include filings in the low volume District Courts, which are reported with unclassified civil cases.

Florida--Circuit Court--Data do not include professional tort cases reported with other civil cases.

Hawaii--Circuit Court--Data do not include a small number of District Court transfers reported with other civil cases.

Idaho--District Court--Data do not include some filings reported with unclassified civil cases. The unclassified figures for 1984, 1985, 1986, 1987, and 1988 respectively are: 20,365, 20,644, 21,281, 22,202, and 24,226.

Maryland--Circuit Court--Data do not include some filings reported with unclassified civil cases. The unclassified figures for 1984, 1985, 1986, 1987 and 1988 respectively are: 827, 1,438, 976, 1,829, and 1,761.

Michigan--Circuit Court--Tort filings are unavailable in 1984 for Hillsdale County, Osceola County, Kalkaska County, and Delta County.

New Jersey--Superior Court--Data do not include some torts reported with unclassified civil cases. The unclassified figures for 1984, 1985, 1986, 1987, and 1988 respectively are: 38,025, 40,026, 46,865, 44,850, and 49,189.

B: The following courts' data are overinclusive:

Utah--District Court--Tort filings include de novo appeals from the Justice of the Peace Courts.

* Additional court information:

Colorado--District and Denver Superior Courts--The Denver Superior Court was abolished 11/14/86 and the caseload absorbed by the District Court.

Florida--Circuit Court--Figures for tort filings do not match those reported in the 1986, 1987, and 1988 State Court Caseload Statistics: Annual Reports. Professional tort cases have been removed so as to be comparable to 1984 and 1985 data.

Part IV
1988 State Court Structure Charts

1988 State Court Structure Charts

An Explanatory Note

The court structure charts summarize in a one-page diagram the key features of each state's court organization. The format meets two objectives: (1) it is comprehensive, indicating all court systems in the state and their interrelationships; and (2) it describes the jurisdiction of the court systems, using a comparable set of terminology and symbols. The court structure charts employ the common terminology developed by the NCSC's Court Statistics Project for reporting caseload statistics.

The first chart is a prototype. It represents a state court organization in which there is one of each of the four court system levels recognized by the Court Statistics Project: courts of last resort, intermediate appellate courts, general jurisdiction trial courts, and limited jurisdiction trial courts. Routes of appeal from one court to another are indicated by lines, with an arrow showing which court receives the appeal or petition.

The charts also provide basic descriptive information, such as the number of authorized justices, judges, and magistrates (or other judicial officers). Each court system's subject matter jurisdiction is indicated using the Court Statistics Project casetypes. Information is also provided on the use of districts, circuits, or divisions in organizing the courts within the system and the number of courts, where this coincides with a basic government unit.

The casetypes, which define a court system's subject matter jurisdiction, require the most explanation. This is done separately for appellate and trial court systems.

Appellate Courts

The rectangle representing each appellate court contains information on the number of authorized justices; the number of geographic divisions, if any, that are maintained; whether court decisions are made en banc, in panels, or both; and the Court Statistics Project casetypes that are heard by the court. The casetypes are shown separately for mandatory and discretionary cases. The casetypes themselves are defined in other Court Statistics Project publications, especially *1984 State Appellate Court Jurisdiction Guide for Statistical Reporting and State Court Model Statistical Dictionary: 1989 Edition.*

An appellate court can have both mandatory *and* discretionary jurisdiction over the same Court Statistics Project casetype. This arises, in part, because the Court Statistics Project casetypes are defined broadly in order to be applicable to every state's courts. There are, for example, only two appellate Court Statistics Project casetypes for criminal appeals: capital and noncapital. A court may have mandatory jurisdiction over felony cases but discretionary jurisdiction over misdemeanors. The listing of casetypes would include "criminal" for both mandatory and discretionary jurisdiction. The duplication of a casetype under both headings can also occur if appeals from one lower court for that casetype are mandatory, while appeals from another lower court are discretionary. Also, statutory provisions or court rules in some states automatically convert a mandatory appeal into a discretionary petition—for example, when an appeal is not filed within a specified time limit. A more comprehensive description of each appellate court's subject matter jurisdiction can be found in the *1984 State Appellate Court Jurisdiction Guide for Statistical Reporting.*

Trial Courts

The rectangle representing each trial court also lists the applicable Court Statistics Project casetypes. These include civil, criminal, traffic/other violation, and juvenile. Where a casetype is simply listed, it means that the court system shares jurisdiction over it with other courts. The presence of exclusive jurisdiction is always explicitly stated. The absence of a casetype from a list means that the court does not have that subject matter jurisdiction. The dollar amount jurisdiction is shown where there is an upper or a lower limit to the cases that can be filed in a court. A dollar limit is not listed if a court does not have a minimum or maximum dollar jurisdiction for general civil cases. In criminal cases, jurisdiction is distinguished between "triable felony," where the court can try a felony case to verdict and sentencing, and "limited felony," which applies to those limited jurisdiction courts that can conduct preliminary hearings that bind a defendant over for trial in a higher court.

Trial courts can have what is termed incidental appellate jurisdiction. The presence of such jurisdiction over the decisions of other courts is noted in the list of casetypes as either "civil appeals," "criminal appeals," or "administrative agency appeals." A trial court that hears appeals directly from an administrative agency has an "A" in the upper right corner of the rectangle.

For each trial court, the chart states the authorized number of judges and whether the court can empanel a jury. The rectangle representing the court also indicates the number of districts, divisions, or circuits into which the court system is divided. These subdivisions are stated using the court system's own terminology. The descriptions, therefore are not standardized across states or court systems.

Trial courts are differentiated into those that are totally funded from local sources and those that receive some form of state funds. Locally funded court systems are drawn with broken lines. A solid line indicates some or all of the funding is derived from state funds.

Symbols and Abbreviations

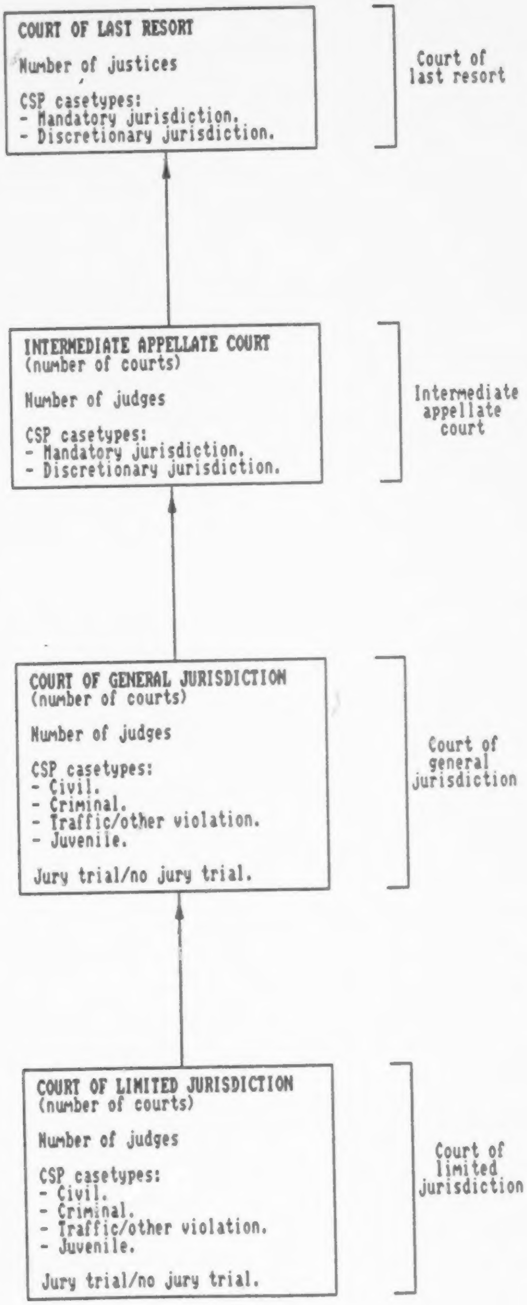
An "A" in the upper right corner of a rectangle, representing either an appellate or a trial court, indicates that the court receives appeals directly from the decisions of an administrative agency. Where "administrative agency appeals" is listed as a casetype, it indicates that the court hears appeals from decisions of another court on an administrative agency's actions. It is possible for a court to both have an "A" designation and to have "administrative agency appeals" listed as a casetype. Such a court hears appeals directly from an administrative agency ("A") and has appellate jurisdiction over the decisions of a lower court that has already reviewed the decision of the administrative agency (and is thus listed as a casetype).

The number of justices or judges is sometimes stated as "FTE." This represents "full time equivalent" authorized judicial positions. "DWI/ DUI" stands for "driving while intoxicated/driving under the influence." The abbreviation, "SC", stands for "small claims." The dollar amount jurisdiction for civil cases is indicated in parenthesis with a dollar sign. Where the small claims dollar amount jurisdiction is different, it is noted.

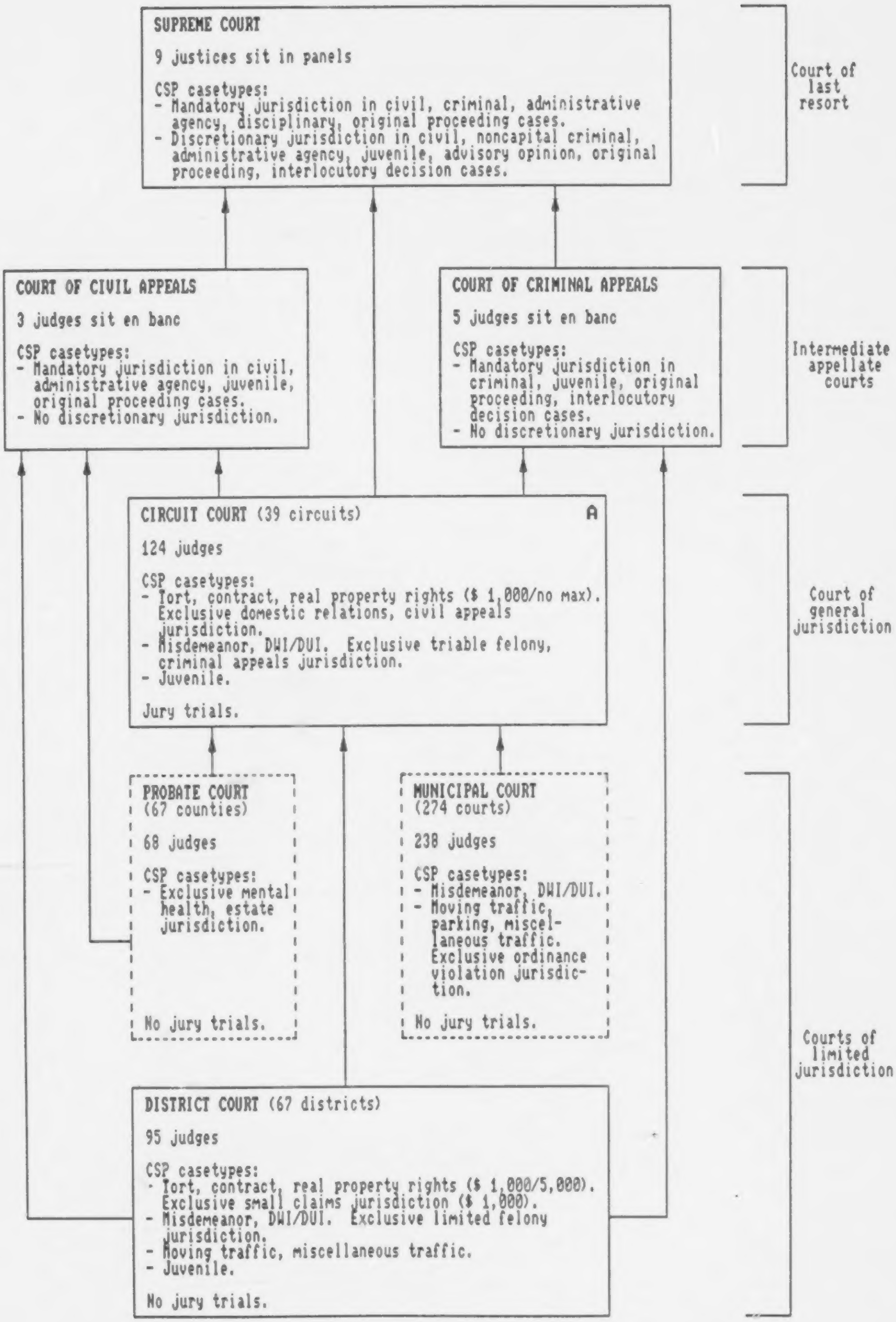
Conclusion

The court structure charts are convenient summaries. They do not substitute for the detailed descriptive material contained in *State Court Organization 1987*, another Court Statistics Project publication. Moreover, they are based on the Court Statistics Project's terminology and categories. This means that a state may have established courts that are not included in these charts. Some states have courts of special jurisdiction to receive complaints on matters that are more typically directed to administrative boards and agencies. Since these courts receive cases that do not fall within the Court Statistics Project casetypes, they are not included in the charts. The existence of such courts, however, is recognized in a footnote to the state's court structure chart.

STATE COURT STRUCTURE PROTOTYPE, 1988


COURT OF LAST RESORT
Number of justices
CSP casetypes:
- Mandatory jurisdiction.
- Discretionary jurisdiction.
Court of last resort
INTERMEDIATE APPELLATE COURT
(number of courts)
Number of judges
CSP casetypes:
- Mandatory jurisdiction.
- Discretionary jurisdiction.
Intermediate appellate court
COURT OF GENERAL JURISDICTION
(number of courts)
Number of judges
CSP casetypes:
- Civil.
- Criminal.
- Traffic/other violation.
- Juvenile.
Jury trial/no jury trial.
Court of general jurisdiction
COURT OF LIMITED JURISDICTION
(number of courts)
Number of judges
CSP casetypes:
- Civil.
- Criminal.
- Traffic/other violation.
- Juvenile.
Jury trial/no jury trial.
Court of limited jurisdiction

ALABAMA COURT STRUCTURE, 1988


Court of last resort
Intermediate appellate courts
Court of general jurisdiction
Courts of limited jurisdiction
A

SUPREME COURT

9 justices sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, disciplinary, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, advisory opinion, original proceeding, interlocutory decision cases.

COURT OF CIVIL APPEALS

3 judges sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, administrative agency, juvenile, original proceeding cases.
- No discretionary jurisdiction.

COURT OF CRIMINAL APPEALS

5 judges sit en banc

CSP casetypes:
- Mandatory jurisdiction in criminal, juvenile, original proceeding, interlocutory decision cases.
- No discretionary jurisdiction.

CIRCUIT COURT (39 circuits)

124 judges

CSP casetypes:
- Tort, contract, real property rights ($ 1,000/no max). Exclusive domestic relations, civil appeals jurisdiction.
- Misdemeanor, DWI/DUI. Exclusive triable felony, criminal appeals jurisdiction.
- Juvenile.

Jury trials.

PROBATE COURT
(67 counties)

68 judges

CSP casetypes:
- Exclusive mental health, estate jurisdiction.

No jury trials.

MUNICIPAL COURT
(274 courts)

238 judges

CSP casetypes:
- Misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous traffic. Exclusive ordinance violation jurisdiction.

No jury trials.

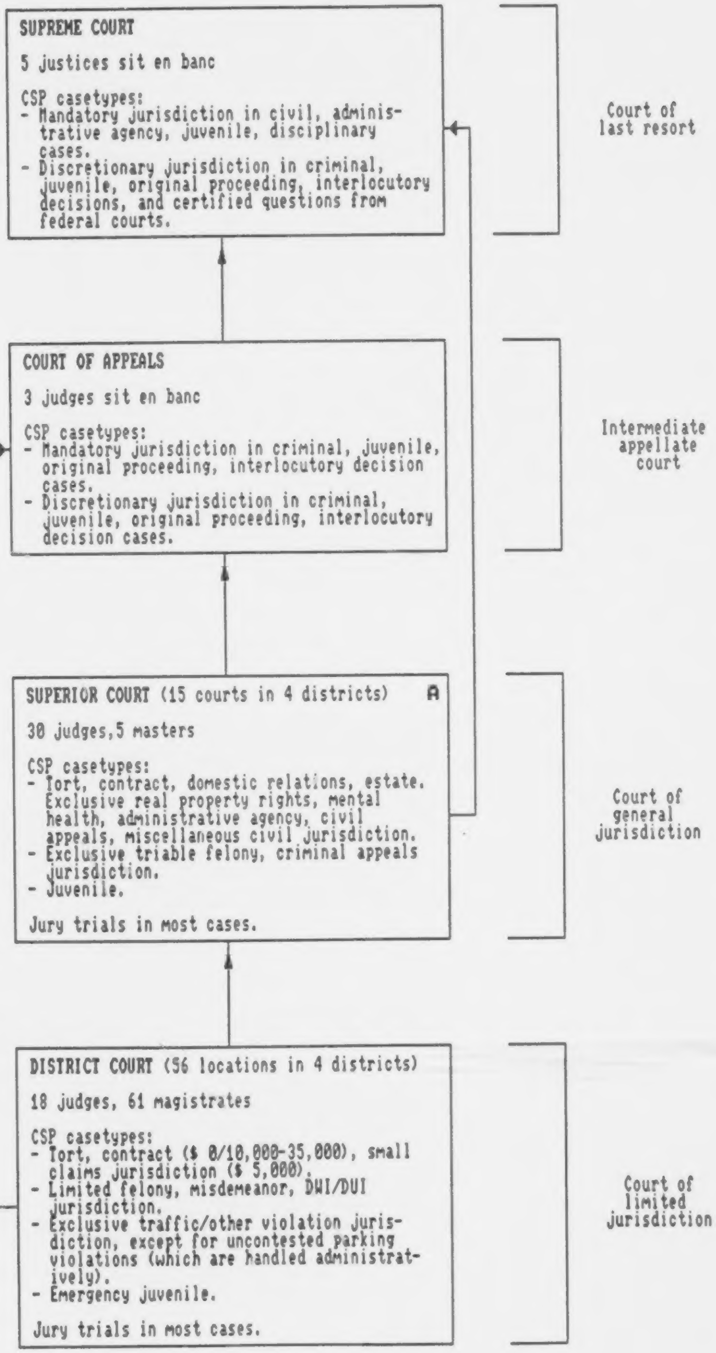
DISTRICT COURT (67 districts)

95 judges

CSP casetypes:
- Tort, contract, real property rights ($ 1,000/5,000). Exclusive small claims jurisdiction ($ 1,000).
- Misdemeanor, DWI/DUI. Exclusive limited felony jurisdiction.
- Moving traffic, miscellaneous traffic.
- Juvenile.

No jury trials.

ALASKA COURT STRUCTURE, 1988



SUPREME COURT

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, administrative agency, juvenile, disciplinary cases.
- Discretionary jurisdiction in criminal, juvenile, original proceeding, interlocutory decisions, and certified questions from federal courts.

COURT OF APPEALS

3 judges sit en banc

CSP casetypes:
- Mandatory jurisdiction in criminal, juvenile, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in criminal, juvenile, original proceeding, interlocutory decision cases.

SUPERIOR COURT (15 courts in 4 districts)

30 judges,5 masters

CSP casetypes:
- Tort, contract, domestic relations, estate. Exclusive real property rights, mental health, administrative agency, civil appeals, miscellaneous civil jurisdiction.
- Exclusive triable felony, criminal appeals jurisdiction.
- Juvenile.

Jury trials in most cases.

DISTRICT COURT (56 locations in 4 districts)

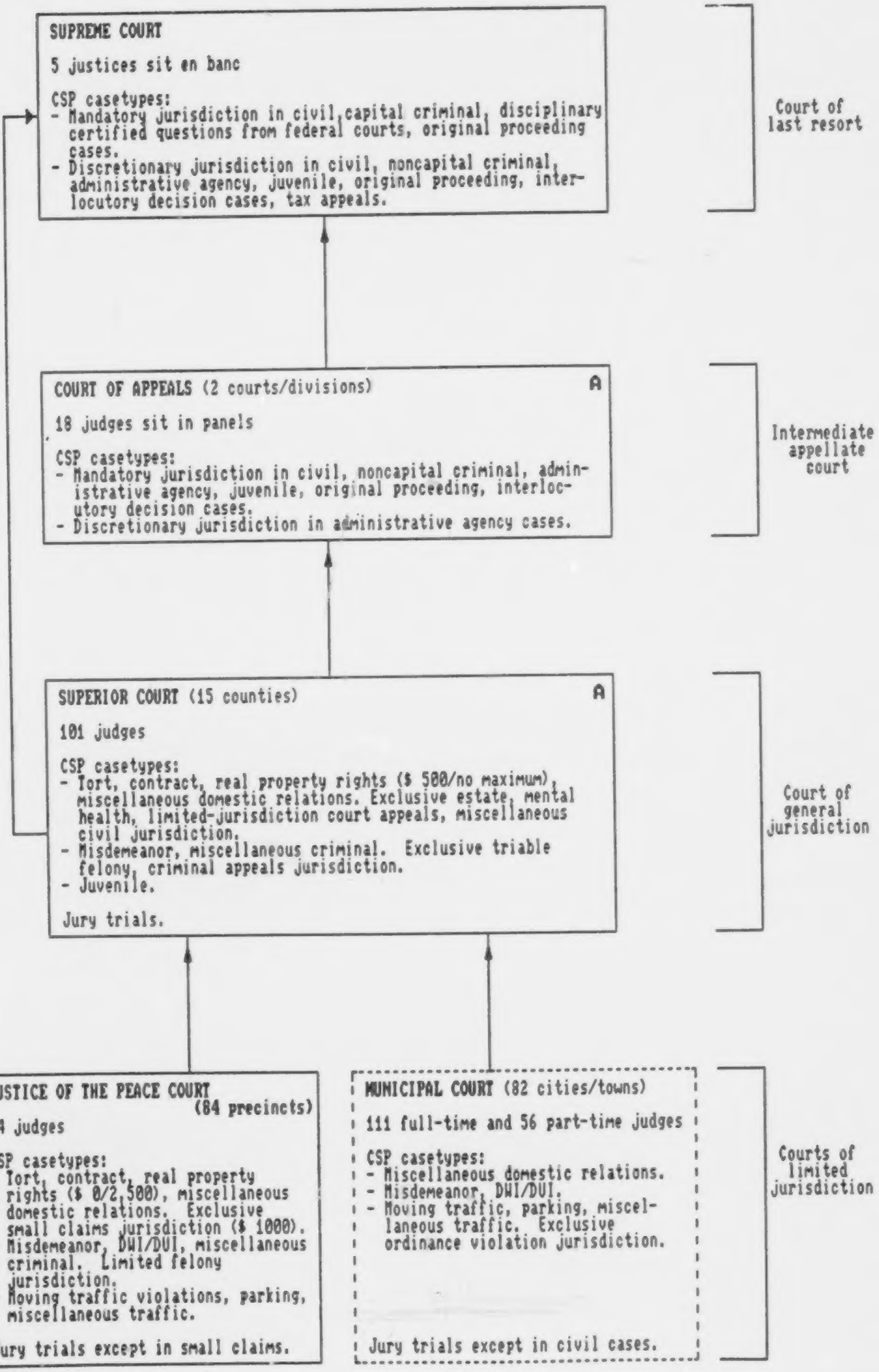
18 judges, 61 magistrates

CSP casetypes:
- Tort, contract ($ 0/10,000-35,000), small claims jurisdiction ($ 5,000).
- Limited felony, misdemeanor, DWI/DUI jurisdiction.
- Exclusive traffic/other violation jurisdiction, except for uncontested parking violations (which are handled administratively).
- Emergency juvenile.

Jury trials in most cases.

A
Court of last resort
Intermediate appellate court
Court of general jurisdiction
Court of limited jurisdiction

ARIZONA COURT STRUCTURE, 1988



SUPREME COURT

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, capital criminal, disciplinary certified questions from federal courts, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases, tax appeals.

Court of last resort

COURT OF APPEALS (2 courts/divisions) A

18 judges sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in administrative agency cases.

Intermediate appellate court

SUPERIOR COURT (15 counties) A

101 judges

CSP casetypes:
- Tort, contract, real property rights ($ 500/no maximum), miscellaneous domestic relations. Exclusive estate, mental health, limited-jurisdiction court appeals, miscellaneous civil jurisdiction.
- Misdemeanor, miscellaneous criminal. Exclusive triable felony, criminal appeals jurisdiction.
- Juvenile.

Jury trials.

Court of general jurisdiction

JUSTICE OF THE PEACE COURT (84 precincts)

84 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/2,500), miscellaneous domestic relations. Exclusive small claims jurisdiction ($ 1000).
- Misdemeanor, DWI/DUI, miscellaneous criminal. Limited felony jurisdiction.
- Moving traffic violations, parking, miscellaneous traffic.

Jury trials except in small claims.

MUNICIPAL COURT (82 cities/towns)

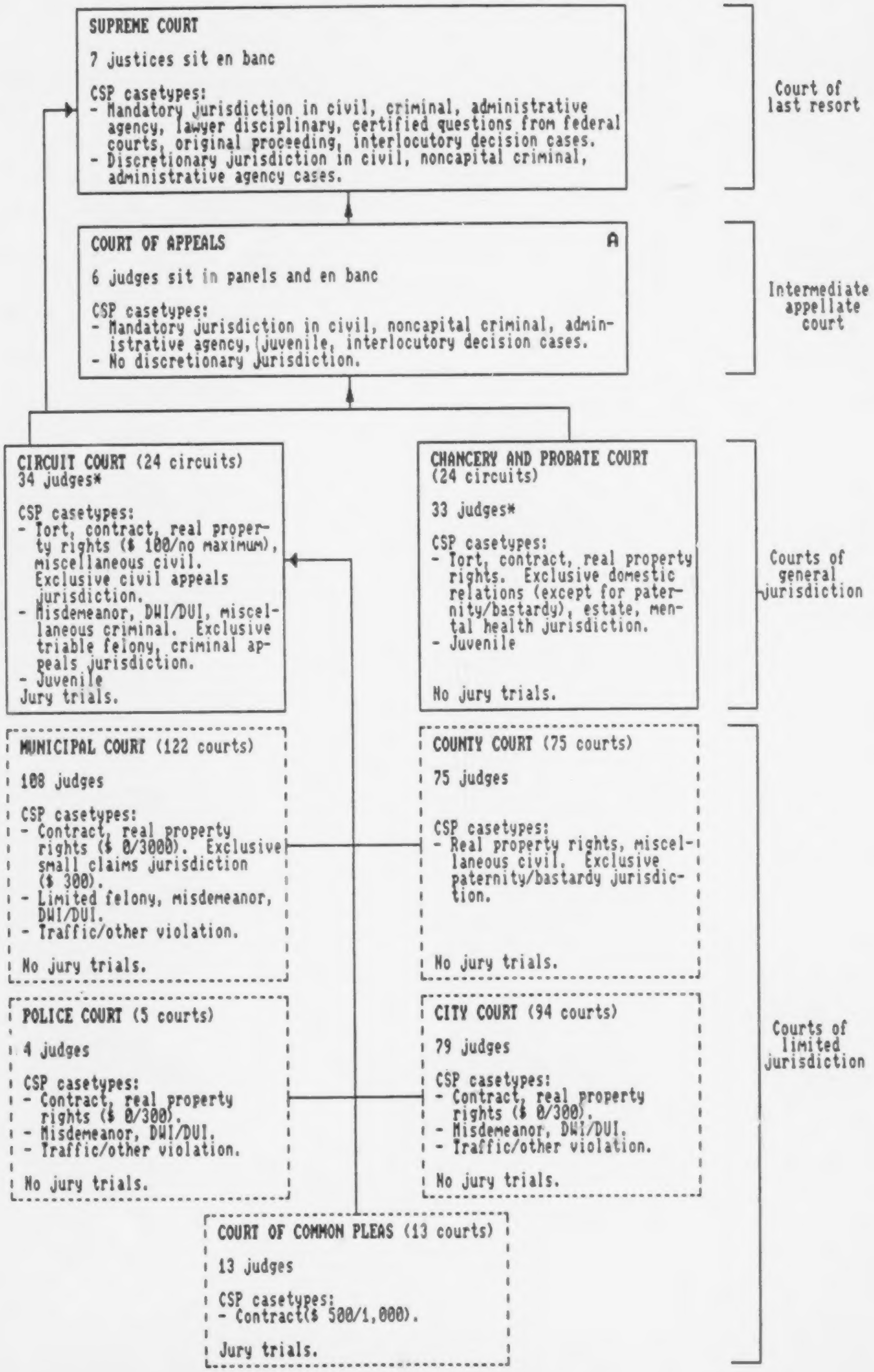
111 full-time and 56 part-time judges

CSP casetypes:
- Miscellaneous domestic relations.
- Misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous traffic. Exclusive ordinance violation jurisdiction.

Jury trials except in civil cases.

Courts of limited jurisdiction

ARKANSAS COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, lawyer disciplinary, certified questions from federal courts, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency cases.

Court of last resort

COURT OF APPEALS A

6 judges sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, interlocutory decision cases.
- No discretionary jurisdiction.

Intermediate appellate court

CIRCUIT COURT (24 circuits)
34 judges*

CSP casetypes:
- Tort, contract, real property rights ($ 100/no maximum), miscellaneous civil. Exclusive civil appeals jurisdiction.
- Misdemeanor, DWI/DUI, miscellaneous criminal. Exclusive triable felony, criminal appeals jurisdiction.
- Juvenile

Jury trials.

CHANCERY AND PROBATE COURT (24 circuits)

33 judges*

CSP casetypes:
- Tort, contract, real property rights. Exclusive domestic relations (except for paternity/bastardy), estate, mental health jurisdiction.
- Juvenile

No jury trials.

Courts of general jurisdiction

MUNICIPAL COURT (122 courts)

108 judges

CSP casetypes:
- Contract, real property rights ($ 0/3000). Exclusive small claims jurisdiction ($ 300).
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.

No jury trials.

COUNTY COURT (75 courts)

75 judges

CSP casetypes:
- Real property rights, miscellaneous civil. Exclusive paternity/bastardy jurisdiction.

No jury trials.

POLICE COURT (5 courts)

4 judges

CSP casetypes:
- Contract, real property rights ($ 0/300).
- Misdemeanor, DWI/DUI.
- Traffic/other violation.

No jury trials.

CITY COURT (94 courts)

79 judges

CSP casetypes:
- Contract, real property rights ($ 0/300).
- Misdemeanor, DWI/DUI.
- Traffic/other violation.

No jury trials.

COURT OF COMMON PLEAS (13 courts)

13 judges

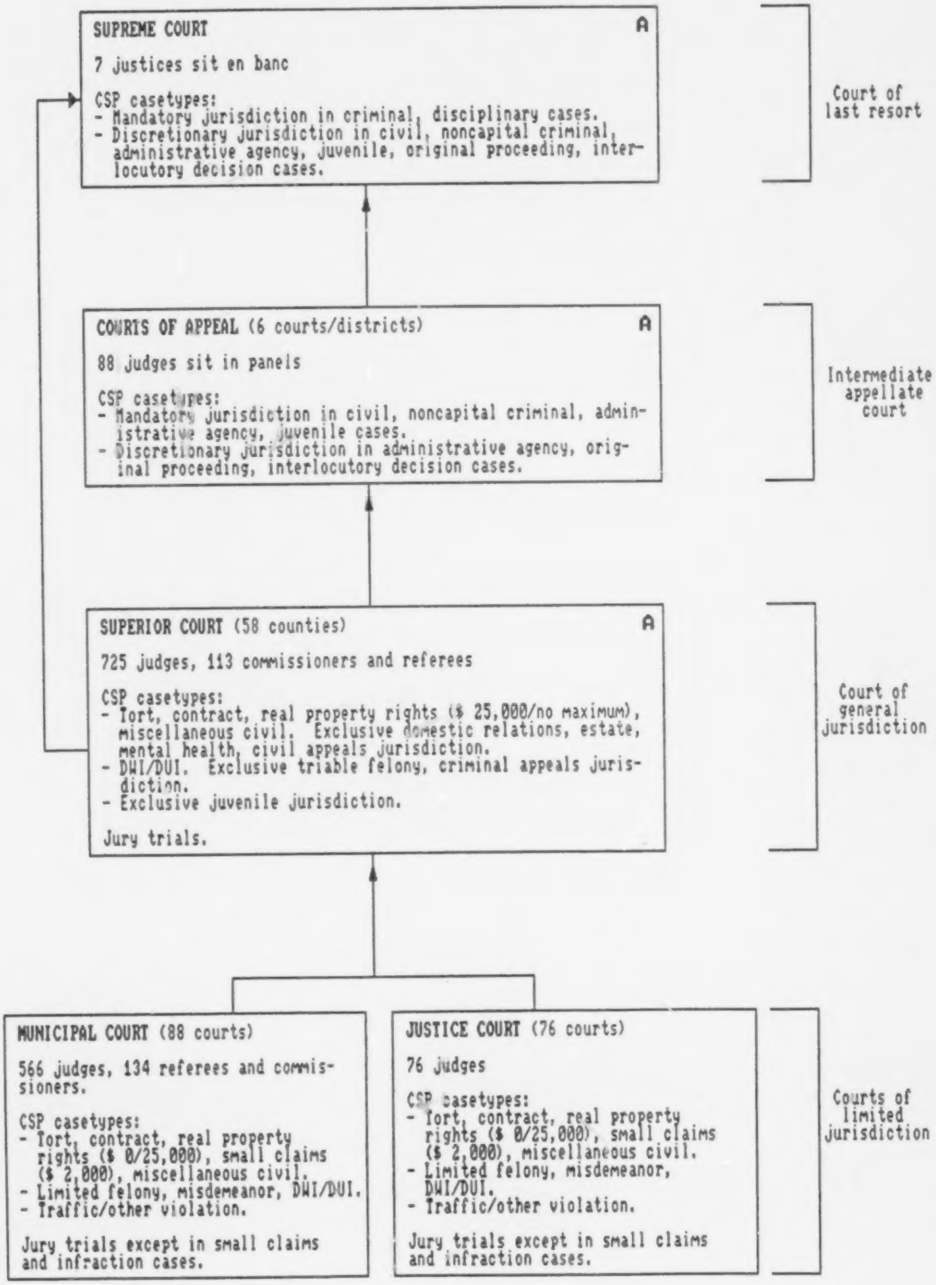
CSP casetypes:
- Contract($ 500/1,000).

Jury trials.

Courts of limited jurisdiction

* Twenty-seven additional judges serve both Circuit and Chancery Courts. Seventeen of these twenty-seven also have primary responsibility for the juvenile division of Chancery Court.

CALIFORNIA COURT STRUCTURE, 1988



SUPREME COURT A

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in criminal, disciplinary cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

Court of last resort

COURTS OF APPEAL (6 courts/districts) A

88 judges sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile cases.
- Discretionary jurisdiction in administrative agency, original proceeding, interlocutory decision cases.

Intermediate appellate court

SUPERIOR COURT (58 counties) A

725 judges, 113 commissioners and referees

CSP casetypes:
- Tort, contract, real property rights ($ 25,000/no maximum), miscellaneous civil. Exclusive domestic relations, estate, mental health, civil appeals jurisdiction.
- DWI/DUI. Exclusive triable felony, criminal appeals jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials.

Court of general jurisdiction

MUNICIPAL COURT (88 courts)

566 judges, 134 referees and commissioners.

CSP casetypes:
- Tort, contract, real property rights ($ 0/25,000), small claims ($ 2,000), miscellaneous civil.
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials except in small claims and infraction cases.

JUSTICE COURT (76 courts)

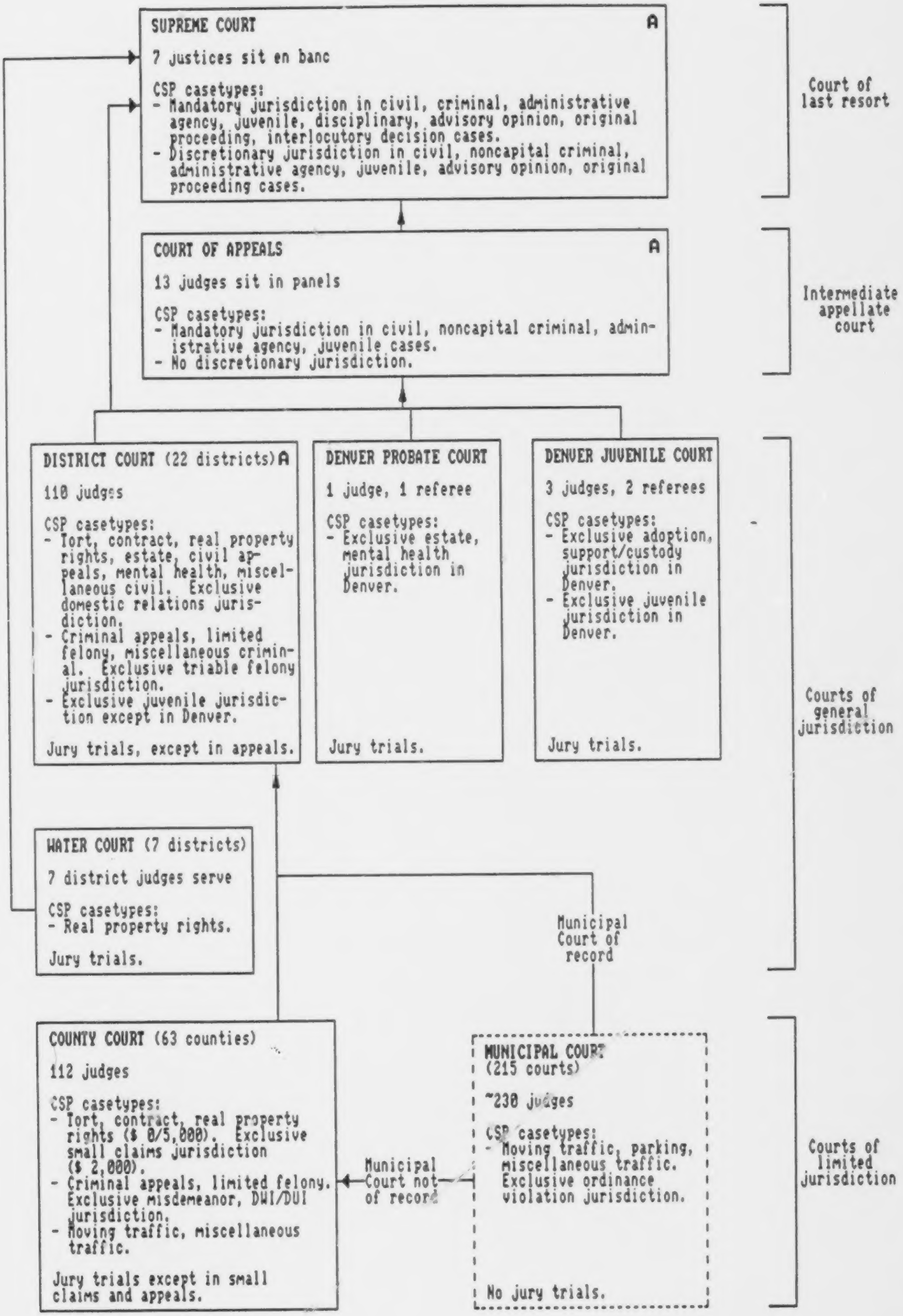
76 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/25,000), small claims ($ 2,000), miscellaneous civil.
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials except in small claims and infraction cases.

Courts of limited jurisdiction

COLORADO COURT STRUCTURE, 1988



SUPREME COURT A

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, advisory opinion, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, advisory opinion, original proceeding cases.

Court of last resort

COURT OF APPEALS A

13 judges sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile cases.
- No discretionary jurisdiction.

Intermediate appellate court

DISTRICT COURT (22 districts) A

110 judges

CSP casetypes:
- Tort, contract, real property rights, estate, civil appeals, mental health, miscellaneous civil. Exclusive domestic relations jurisdiction.
- Criminal appeals, limited felony, miscellaneous criminal. Exclusive triable felony jurisdiction.
- Exclusive juvenile jurisdiction except in Denver.

Jury trials, except in appeals.

DENVER PROBATE COURT

1 judge, 1 referee

CSP casetypes:
- Exclusive estate, mental health jurisdiction in Denver.

Jury trials.

DENVER JUVENILE COURT

3 judges, 2 referees

CSP casetypes:
- Exclusive adoption, support/custody jurisdiction in Denver.
- Exclusive juvenile jurisdiction in Denver.

Jury trials.

WATER COURT (7 districts)

7 district judges serve

CSP casetypes:
- Real property rights.

Jury trials.

Courts of general jurisdiction

Municipal Court of record

COUNTY COURT (63 counties)

112 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/5,000). Exclusive small claims jurisdiction ($ 2,000).
- Criminal appeals, limited felony. Exclusive misdemeanor, DWI/DUI jurisdiction.
- Moving traffic, miscellaneous traffic.

Jury trials except in small claims and appeals.

Municipal Court not of record

MUNICIPAL COURT
(215 courts)

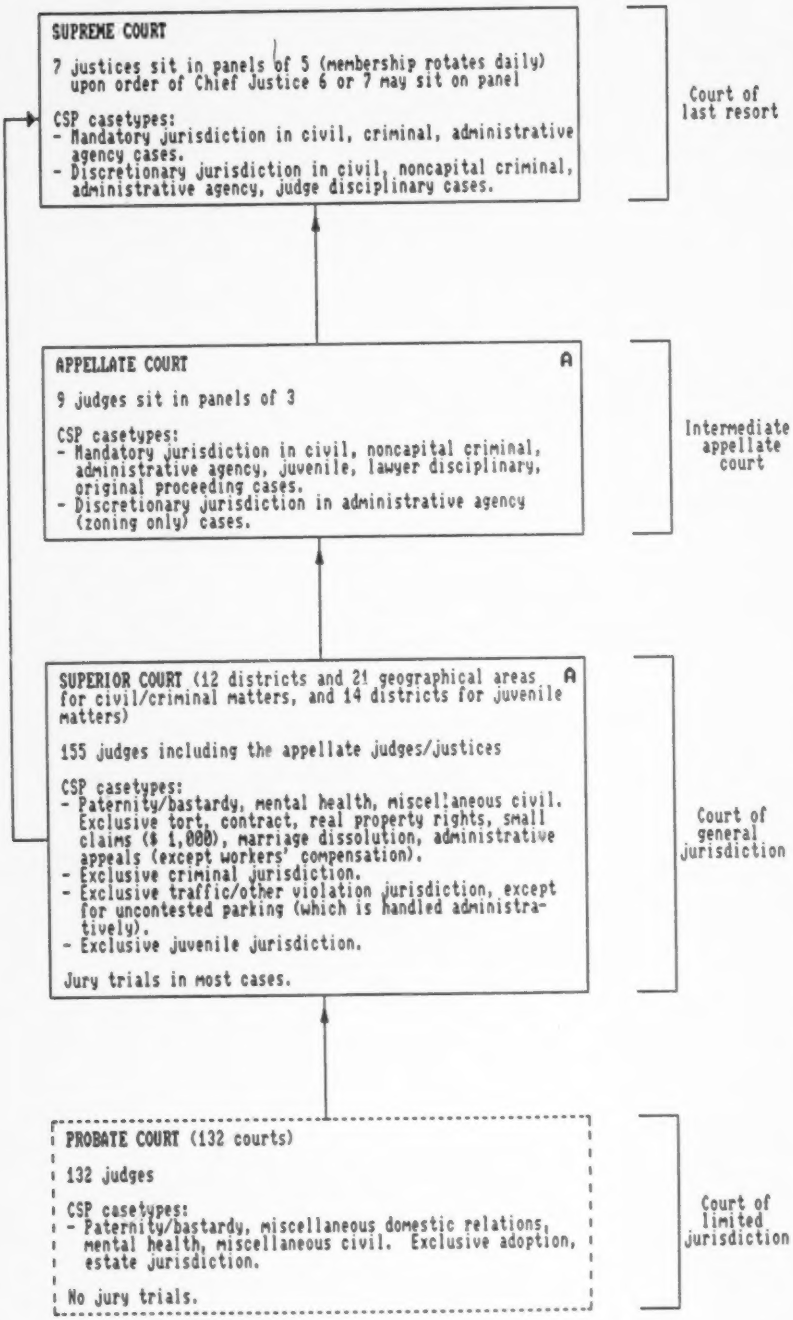
~230 judges

CSP casetypes:
- Moving traffic, parking, miscellaneous traffic. Exclusive ordinance violation jurisdiction.

No jury trials.

Courts of limited jurisdiction

CONNECTICUT COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit in panels of 5 (membership rotates daily) upon order of Chief Justice 6 or 7 may sit on panel

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, judge disciplinary cases.

Court of last resort

APPELLATE COURT A

9 judges sit in panels of 3

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, lawyer disciplinary, original proceeding cases.
- Discretionary jurisdiction in administrative agency (zoning only) cases.

Intermediate appellate court

SUPERIOR COURT (12 districts and 21 geographical areas for civil/criminal matters, and 14 districts for juvenile matters) A

155 judges including the appellate judges/justices

CSP casetypes:
- Paternity/bastardy, mental health, miscellaneous civil. Exclusive tort, contract, real property rights, small claims ($ 1,000), marriage dissolution, administrative appeals (except workers' compensation).
- Exclusive criminal jurisdiction.
- Exclusive traffic/other violation jurisdiction, except for uncontested parking (which is handled administratively).
- Exclusive juvenile jurisdiction.

Jury trials in most cases.

Court of general jurisdiction

PROBATE COURT (132 courts)

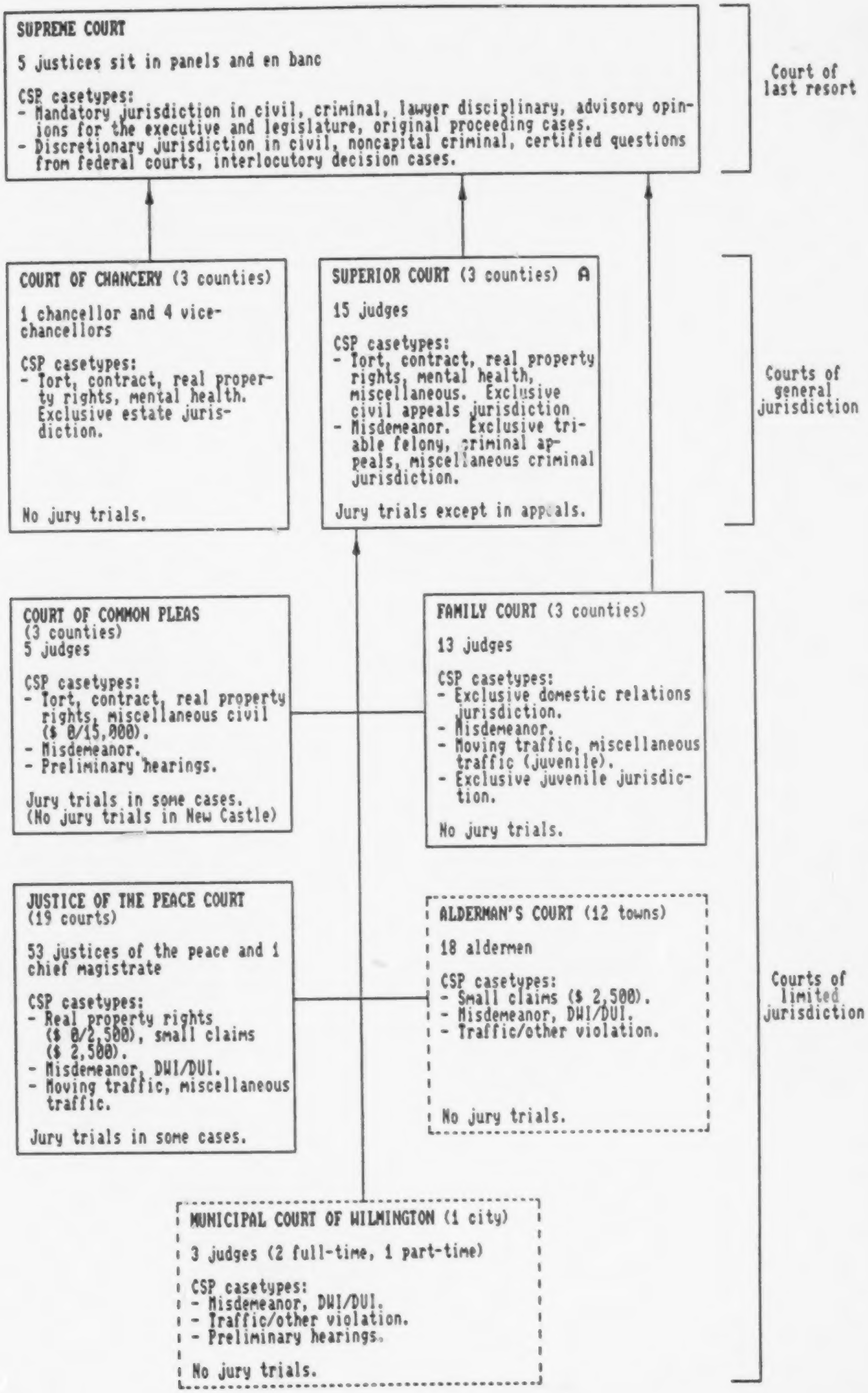
132 judges

CSP casetypes:
- Paternity/bastardy, miscellaneous domestic relations, mental health, miscellaneous civil. Exclusive adoption, estate jurisdiction.

No jury trials.

Court of limited jurisdiction

DELAWARE COURT STRUCTURE, 1988



SUPREME COURT

5 justices sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, lawyer disciplinary, advisory opinions for the executive and legislature, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, certified questions from federal courts, interlocutory decision cases.

Court of last resort

COURT OF CHANCERY (3 counties)

1 chancellor and 4 vice-chancellors

CSP casetypes:
- Tort, contract, real property rights, mental health. Exclusive estate jurisdiction.

No jury trials.

SUPERIOR COURT (3 counties) A

15 judges

CSP casetypes:
- Tort, contract, real property rights, mental health, miscellaneous. Exclusive civil appeals jurisdiction
- Misdemeanor. Exclusive triable felony, criminal appeals, miscellaneous criminal jurisdiction.

Jury trials except in appeals.

Courts of general jurisdiction

COURT OF COMMON PLEAS
(3 counties)
5 judges

CSP casetypes:
- Tort, contract, real property rights, miscellaneous civil ($ 0/15,000).
- Misdemeanor.
- Preliminary hearings.

Jury trials in some cases.
(No jury trials in New Castle)

FAMILY COURT (3 counties)

13 judges

CSP casetypes:
- Exclusive domestic relations jurisdiction.
- Misdemeanor.
- Moving traffic, miscellaneous traffic (juvenile).
- Exclusive juvenile jurisdiction.

No jury trials.

JUSTICE OF THE PEACE COURT
(19 courts)

53 justices of the peace and 1 chief magistrate

CSP casetypes:
- Real property rights ($ 0/2,500), small claims ($ 2,500).
- Misdemeanor, DWI/DUI.
- Moving traffic, miscellaneous traffic.

Jury trials in some cases.

ALDERMAN'S COURT (12 towns)

18 aldermen

CSP casetypes:
- Small claims ($ 2,500).
- Misdemeanor, DWI/DUI.
- Traffic/other violation.

No jury trials.

Courts of limited jurisdiction

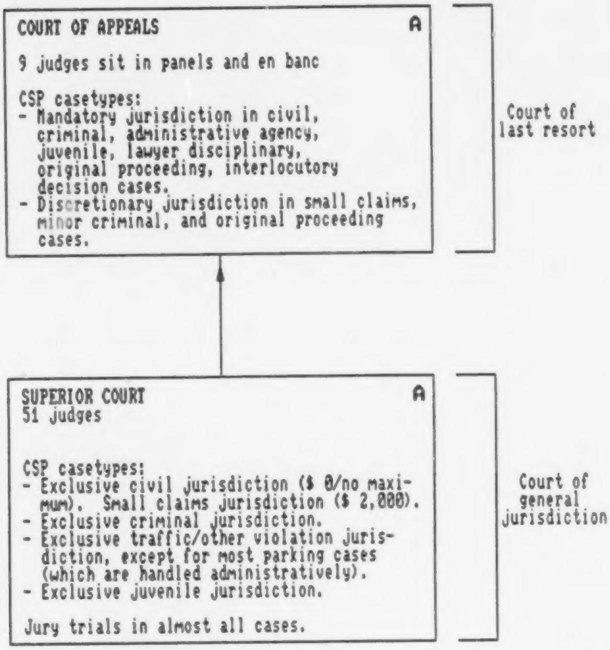
MUNICIPAL COURT OF WILMINGTON (1 city)

3 judges (2 full-time, 1 part-time)

CSP casetypes:
- Misdemeanor, DWI/DUI.
- Traffic/other violation.
- Preliminary hearings.

No jury trials.

DISTRICT OF COLUMBIA COURT STRUCTURE, 1988



COURT OF APPEALS A

9 judges sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, lawyer disciplinary, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in small claims, minor criminal, and original proceeding cases.

Court of last resort

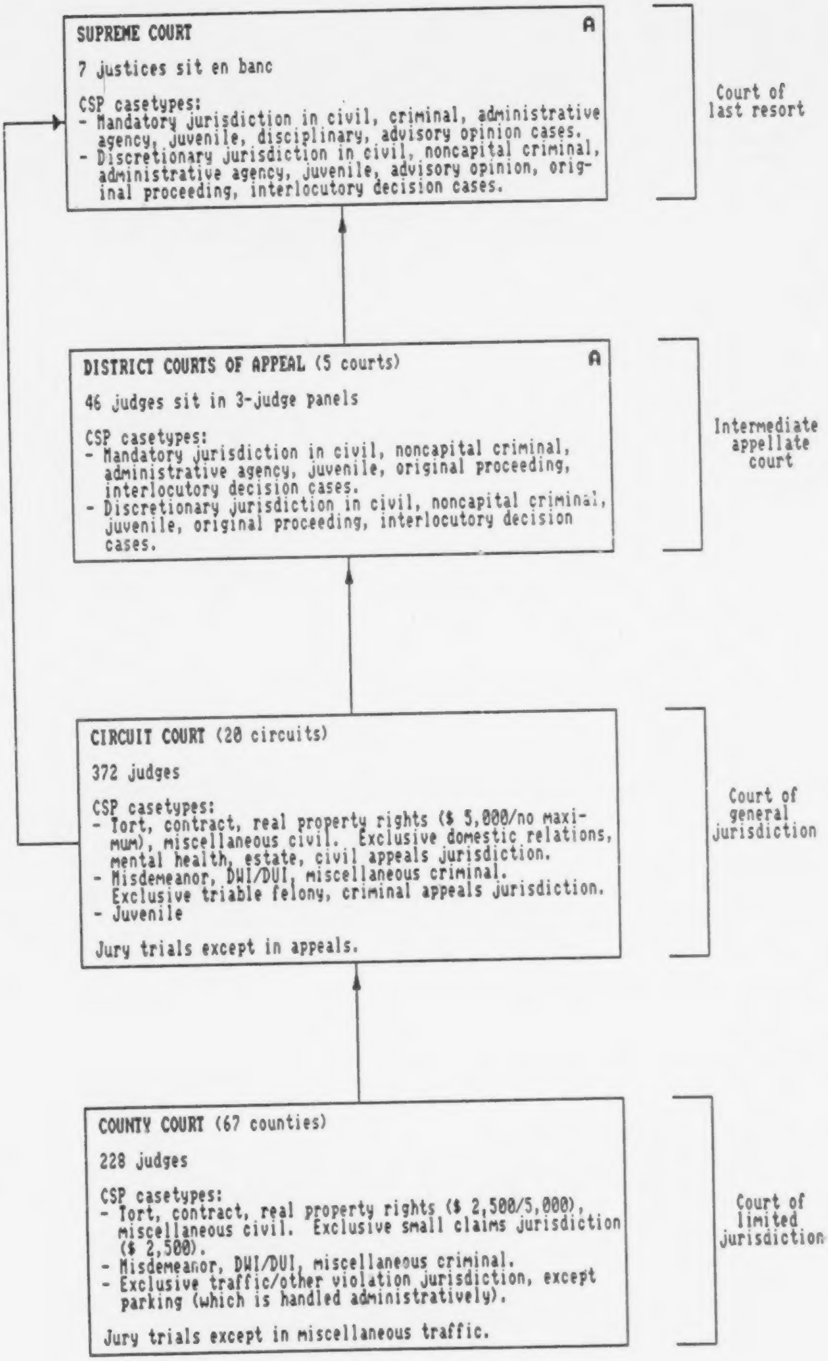
SUPERIOR COURT A
51 judges

CSP casetypes:
- Exclusive civil jurisdiction ($ 0/no maximum). Small claims jurisdiction ($ 2,000).
- Exclusive criminal jurisdiction.
- Exclusive traffic/other violation jurisdiction, except for most parking cases (which are handled administratively).
- Exclusive juvenile jurisdiction.

Jury trials in almost all cases.

Court of general jurisdiction

FLORIDA COURT STRUCTURE, 1988



SUPREME COURT A

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, advisory opinion cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, advisory opinion, original proceeding, interlocutory decision cases.

Court of last resort

DISTRICT COURTS OF APPEAL (5 courts) A

46 judges sit in 3-judge panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, juvenile, original proceeding, interlocutory decision cases.

Intermediate appellate court

CIRCUIT COURT (20 circuits)

372 judges

CSP casetypes:
- Tort, contract, real property rights ($ 5,000/no maximum), miscellaneous civil. Exclusive domestic relations, mental health, estate, civil appeals jurisdiction.
- Misdemeanor, DWI/DUI, miscellaneous criminal. Exclusive triable felony, criminal appeals jurisdiction.
- Juvenile

Jury trials except in appeals.

Court of general jurisdiction

COUNTY COURT (67 counties)

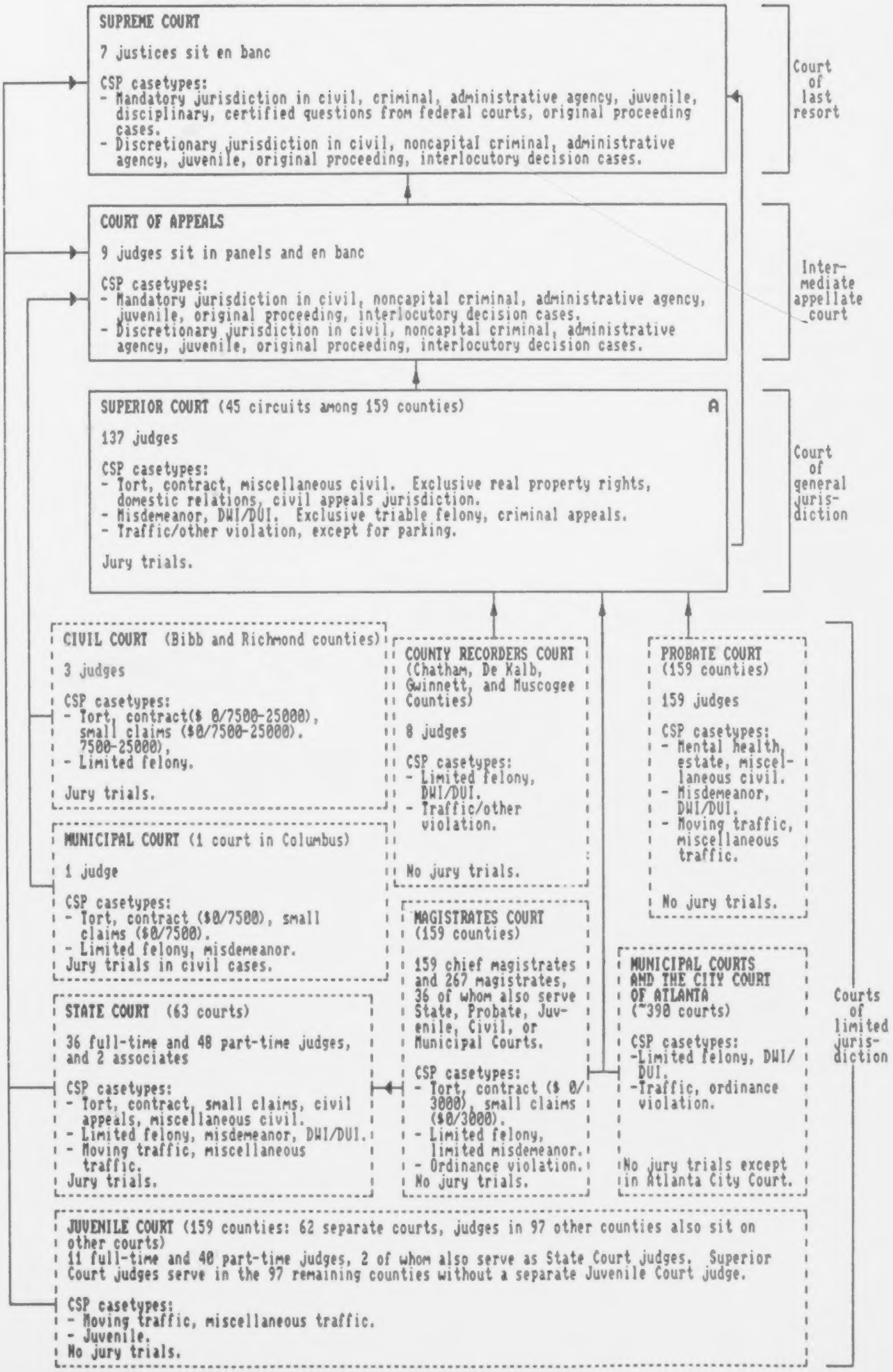
228 judges

CSP casetypes:
- Tort, contract, real property rights ($ 2,500/5,000), miscellaneous civil. Exclusive small claims jurisdiction ($ 2,500).
- Misdemeanor, DWI/DUI, miscellaneous criminal.
- Exclusive traffic/other violation jurisdiction, except parking (which is handled administratively).

Jury trials except in miscellaneous traffic.

Court of limited jurisdiction

GEORGIA COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, certified questions from federal courts, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

Court of last resort

COURT OF APPEALS

9 judges sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

Intermediate appellate court

SUPERIOR COURT (45 circuits among 159 counties) A

137 judges

CSP casetypes:
- Tort, contract, miscellaneous civil. Exclusive real property rights, domestic relations, civil appeals jurisdiction.
- Misdemeanor, DWI/DUI. Exclusive triable felony, criminal appeals.
- Traffic/other violation, except for parking.

Jury trials.

Court of general jurisdiction

CIVIL COURT (Bibb and Richmond counties)

3 judges

CSP casetypes:
- Tort, contract($ 0/7500-25000), small claims ($0/7500-25000). 7500-25000),
- Limited felony.

Jury trials.

MUNICIPAL COURT (1 court in Columbus)

1 judge

CSP casetypes:
- Tort, contract ($0/7500), small claims ($0/7500).
- Limited felony, misdemeanor.

Jury trials in civil cases.

STATE COURT (63 courts)

36 full-time and 48 part-time judges, and 2 associates

CSP casetypes:
- Tort, contract, small claims, civil appeals, miscellaneous civil.
- Limited felony, misdemeanor, DWI/DUI.
- Moving traffic, miscellaneous traffic.

Jury trials.

COUNTY RECORDERS COURT
(Chatham, De Kalb, Gwinnett, and Muscogee Counties)

8 judges

CSP casetypes:
- Limited felony, DWI/DUI.
- Traffic/other violation.

No jury trials.

MAGISTRATES COURT
(159 counties)

159 chief magistrates and 267 magistrates, 36 of whom also serve State, Probate, Juvenile, Civil, or Municipal Courts.

CSP casetypes:
- Tort, contract ($ 0/3000), small claims ($0/3000).
- Limited felony, limited misdemeanor.
- Ordinance violation.

No jury trials.

PROBATE COURT
(159 counties)

159 judges

CSP casetypes:
- Mental health, estate, miscellaneous civil.
- Misdemeanor, DWI/DUI.
- Moving traffic, miscellaneous traffic.

No jury trials.

MUNICIPAL COURTS AND THE CITY COURT OF ATLANTA
(~390 courts)

CSP casetypes:
- Limited felony, DWI/DUI.
- Traffic, ordinance violation.

No jury trials except in Atlanta City Court.

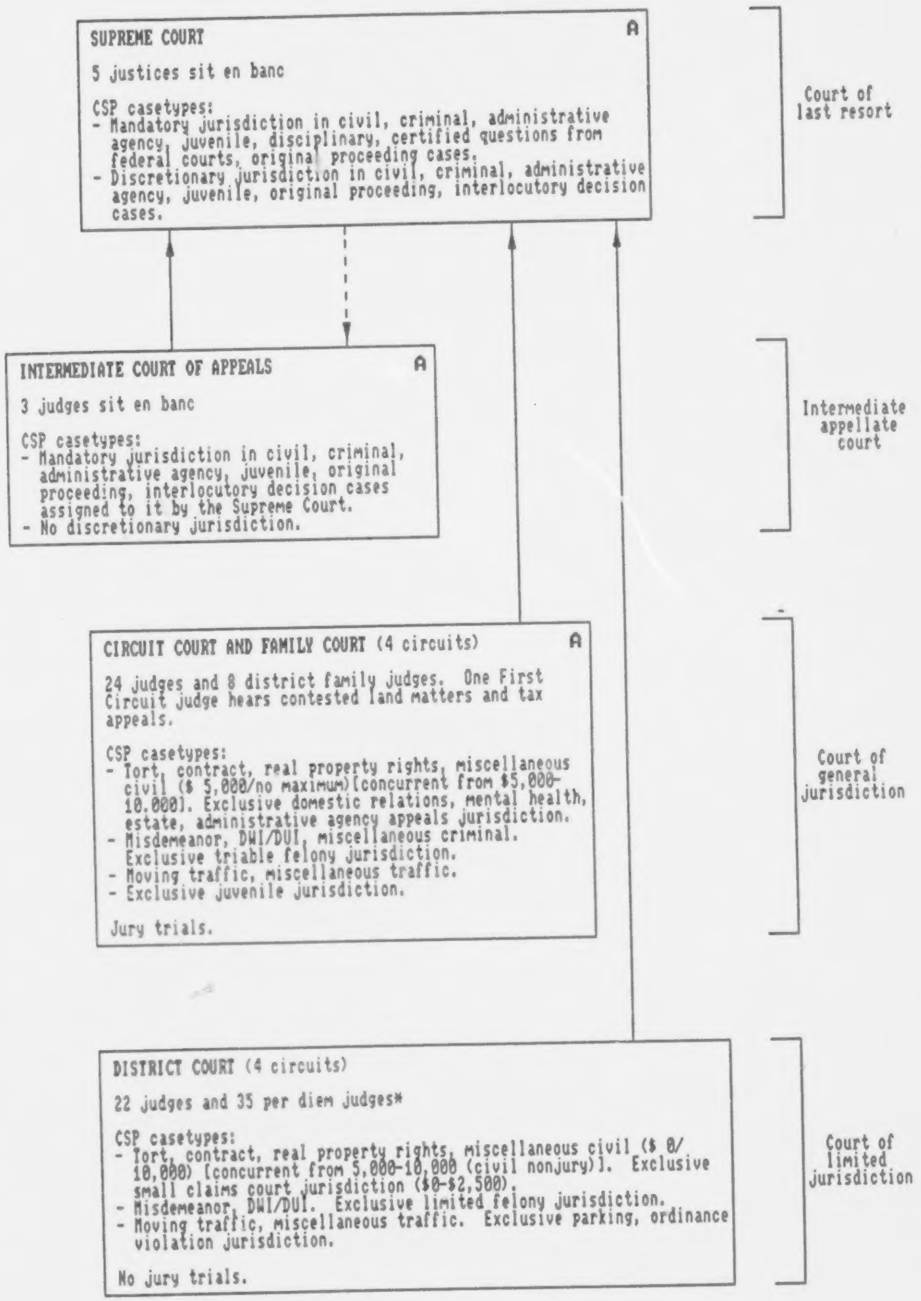
JUVENILE COURT (159 counties: 62 separate courts, judges in 97 other counties also sit on other courts)
11 full-time and 40 part-time judges, 2 of whom also serve as State Court judges. Superior Court judges serve in the 97 remaining counties without a separate Juvenile Court judge.

CSP casetypes:
- Moving traffic, miscellaneous traffic.
- Juvenile.

No jury trials.

Courts of limited jurisdiction

HAWAII COURT STRUCTURE, 1988



SUPREME COURT A

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, certified questions from federal courts, original proceeding cases.
- Discretionary jurisdiction in civil, criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

Court of last resort

INTERMEDIATE COURT OF APPEALS A

3 judges sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases assigned to it by the Supreme Court.
- No discretionary jurisdiction.

Intermediate appellate court

CIRCUIT COURT AND FAMILY COURT (4 circuits) A

24 judges and 8 district family judges. One First Circuit judge hears contested land matters and tax appeals.

CSP casetypes:
- Tort, contract, real property rights, miscellaneous civil ($ 5,000/no maximum)[concurrent from $5,000-10.000]. Exclusive domestic relations, mental health, estate, administrative agency appeals jurisdiction.
- Misdemeanor, DWI/DUI, miscellaneous criminal. Exclusive triable felony jurisdiction.
- Moving traffic, miscellaneous traffic.
- Exclusive juvenile jurisdiction.

Jury trials.

Court of general jurisdiction

DISTRICT COURT (4 circuits)

22 judges and 35 per diem judges*

CSP casetypes:
- Tort, contract, real property rights, miscellaneous civil ($ 0/10,000) [concurrent from 5,000-10,000 (civil nonjury)]. Exclusive small claims court jurisdiction ($0-$2,500).
- Misdemeanor, DWI/DUI. Exclusive limited felony jurisdiction.
- Moving traffic, miscellaneous traffic. Exclusive parking, ordinance violation jurisdiction.

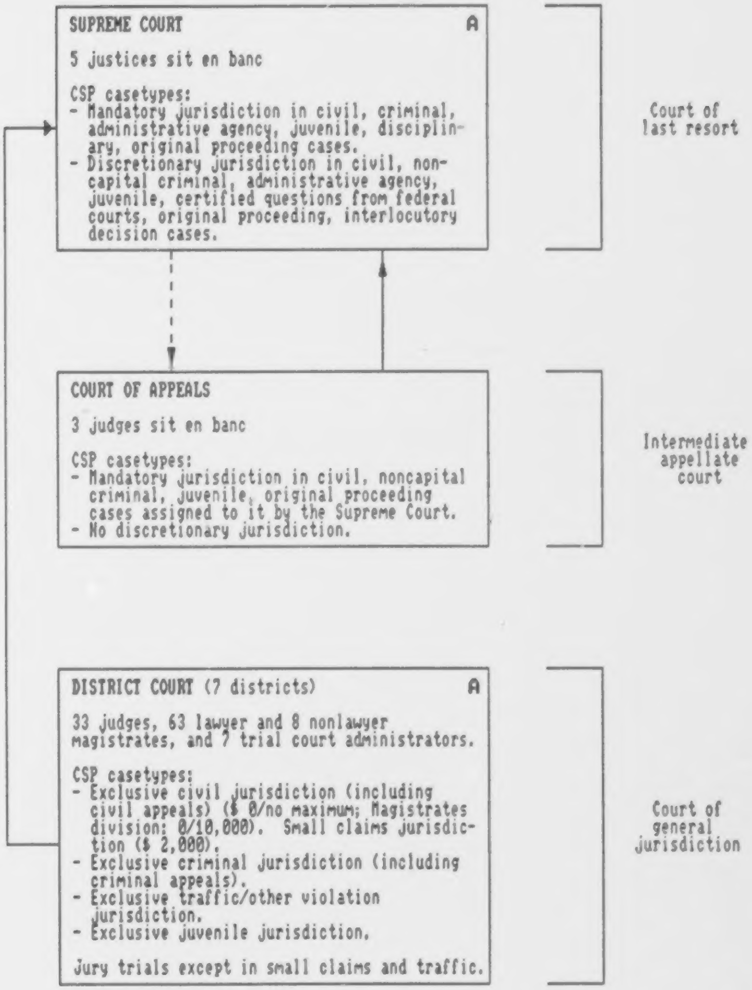
No jury trials.

Court of limited jurisdiction

---- Indicates assignment of cases.

* Some per diem judges are assigned to serve as per diem District & Family Court judges in the First Circuit.

IDAHO COURT STRUCTURE, 1988



SUPREME COURT

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, certified questions from federal courts, original proceeding, interlocutory decision cases.

COURT OF APPEALS

3 judges sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, juvenile, original proceeding cases assigned to it by the Supreme Court.
- No discretionary jurisdiction.

DISTRICT COURT (7 districts)

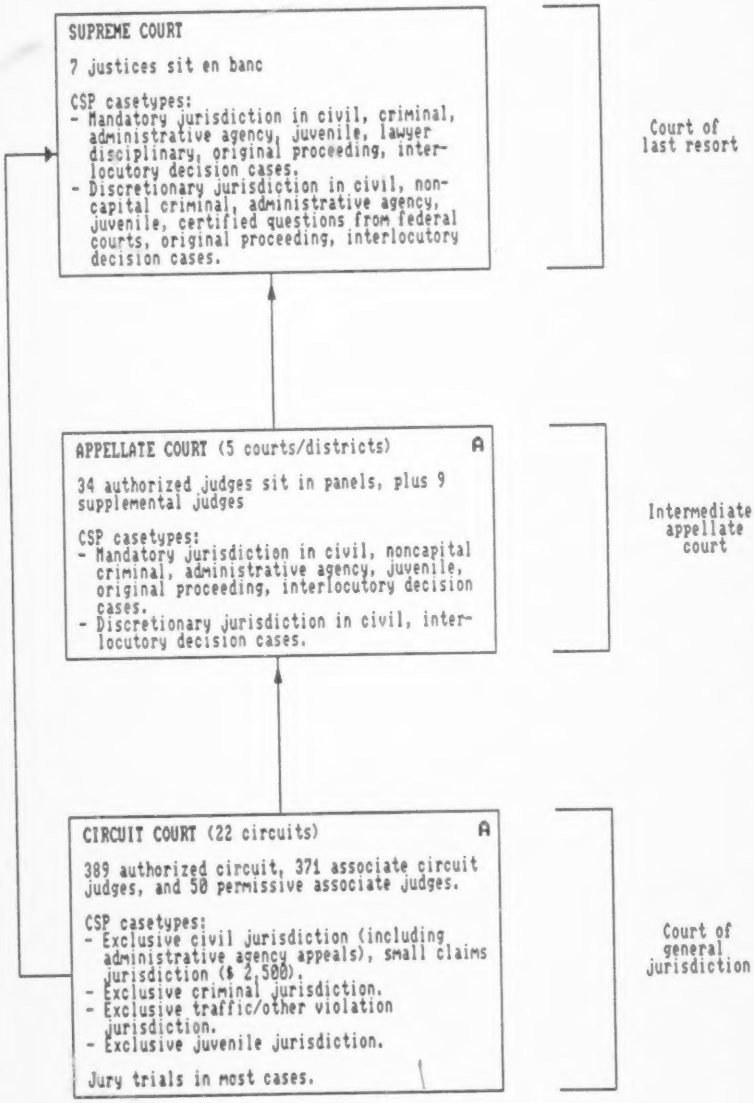
33 judges, 63 lawyer and 8 nonlawyer magistrates, and 7 trial court administrators.

CSP casetypes:
- Exclusive civil jurisdiction (including civil appeals) ($ 0/no maximum; Magistrates division: 0/10,000). Small claims jurisdiction ($ 2,000).
- Exclusive criminal jurisdiction (including criminal appeals).
- Exclusive traffic/other violation jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials except in small claims and traffic.

---- indicates assignment of cases.

ILLINOIS COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, lawyer disciplinary, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, certified questions from federal courts, original proceeding, interlocutory decision cases.

Court of last resort

APPELLATE COURT (5 courts/districts) A

34 authorized judges sit in panels, plus 9 supplemental judges

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, interlocutory decision cases.

Intermediate appellate court

CIRCUIT COURT (22 circuits) A

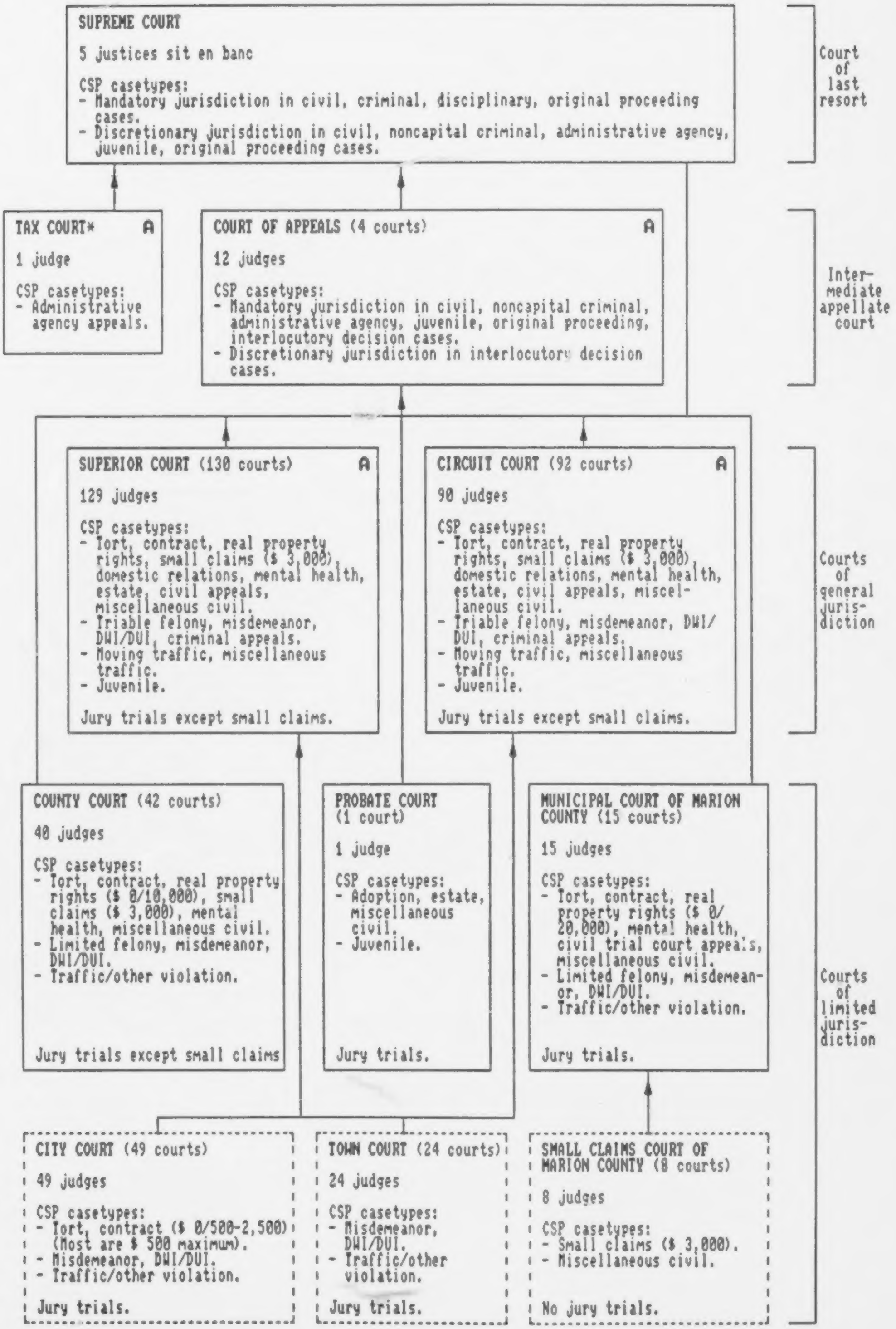
389 authorized circuit, 371 associate circuit judges, and 50 permissive associate judges.

CSP casetypes:
- Exclusive civil jurisdiction (including administrative agency appeals), small claims jurisdiction ($ 2,500).
- Exclusive criminal jurisdiction.
- Exclusive traffic/other violation jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials in most cases.

Court of general jurisdiction

INDIANA COURT STRUCTURE, 1988



SUPREME COURT

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, disciplinary, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding cases.

Court of last resort

TAX COURT* A

1 judge

CSP casetypes:
- Administrative agency appeals.

COURT OF APPEALS (4 courts) A

12 judges

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in interlocutory decision cases.

Intermediate appellate court

SUPERIOR COURT (130 courts) A

129 judges

CSP casetypes:
- Tort, contract, real property rights, small claims ($ 3,000), domestic relations, mental health, estate, civil appeals, miscellaneous civil.
- Triable felony, misdemeanor, DWI/DUI, criminal appeals.
- Moving traffic, miscellaneous traffic.
- Juvenile.

Jury trials except small claims.

CIRCUIT COURT (92 courts) A

90 judges

CSP casetypes:
- Tort, contract, real property rights, small claims ($ 3,000), domestic relations, mental health, estate, civil appeals, miscellaneous civil.
- Triable felony, misdemeanor, DWI/DUI, criminal appeals.
- Moving traffic, miscellaneous traffic.
- Juvenile.

Jury trials except small claims.

Courts of general jurisdiction

COUNTY COURT (42 courts)

40 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/10,000), small claims ($ 3,000), mental health, miscellaneous civil.
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials except small claims

PROBATE COURT (1 court)

1 judge

CSP casetypes:
- Adoption, estate, miscellaneous civil.
- Juvenile.

Jury trials.

MUNICIPAL COURT OF MARION COUNTY (15 courts)

15 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/20,000), mental health, civil trial court appeals, miscellaneous civil.
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials.

CITY COURT (49 courts)

49 judges

CSP casetypes:
- Tort, contract ($ 0/500-2,500) (Most are $ 500 maximum).
- Misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials.

TOWN COURT (24 courts)

24 judges

CSP casetypes:
- Misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials.

SMALL CLAIMS COURT OF MARION COUNTY (8 courts)

8 judges

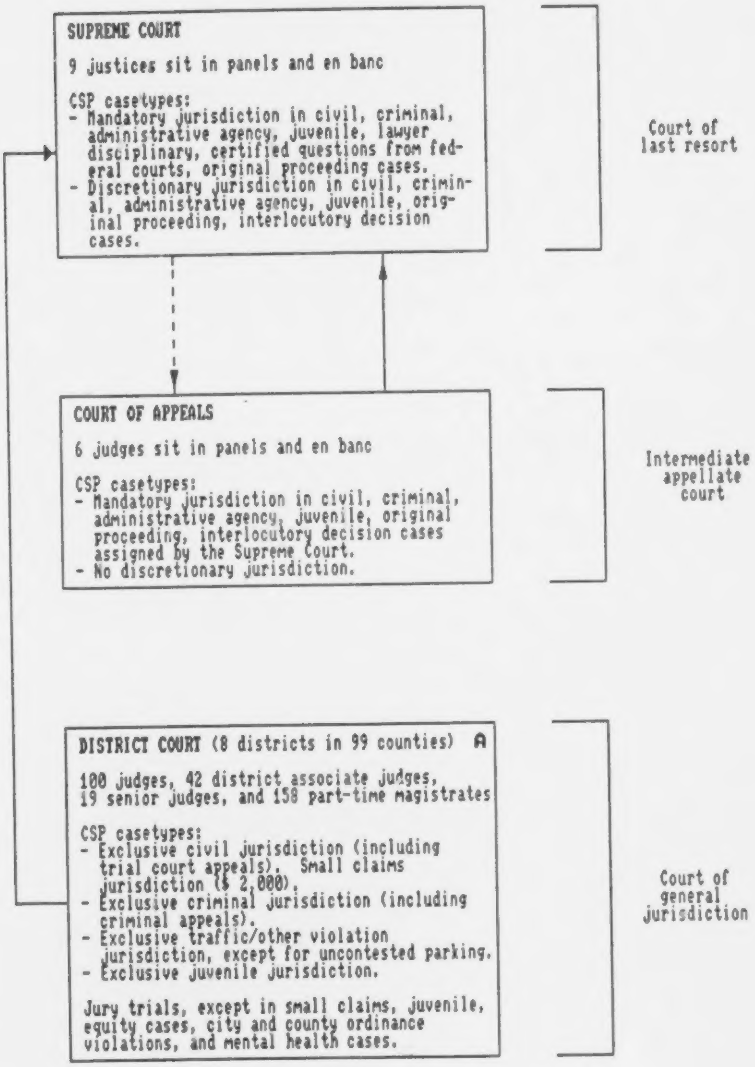
CSP casetypes:
- Small claims ($ 3,000).
- Miscellaneous civil.

No jury trials.

Courts of limited jurisdiction

* The Tax Court was established in 1986.

IOWA COURT STRUCTURE, 1988



SUPREME COURT

9 justices sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, lawyer disciplinary, certified questions from federal courts, original proceeding cases.
- Discretionary jurisdiction in civil, criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

Court of last resort

COURT OF APPEALS

6 judges sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases assigned by the Supreme Court.
- No discretionary jurisdiction.

Intermediate appellate court

DISTRICT COURT (8 districts in 99 counties) **A**

100 judges, 42 district associate judges, 19 senior judges, and 158 part-time magistrates

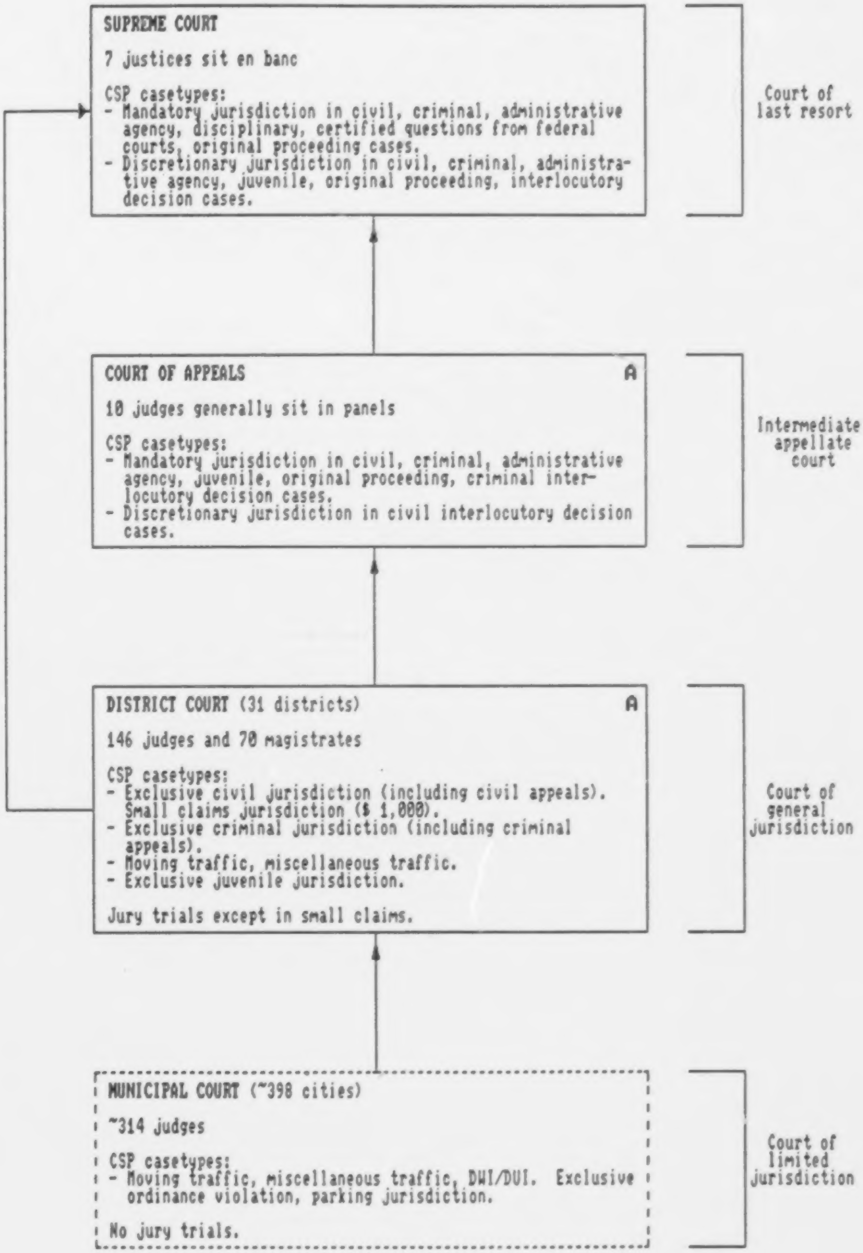
CSP casetypes:
- Exclusive civil jurisdiction (including trial court appeals). Small claims jurisdiction ($ 2,000).
- Exclusive criminal jurisdiction (including criminal appeals).
- Exclusive traffic/other violation jurisdiction, except for uncontested parking.
- Exclusive juvenile jurisdiction.

Jury trials, except in small claims, juvenile, equity cases, city and county ordinance violations, and mental health cases.

Court of general jurisdiction

---- Indicates assignment of cases.

KANSAS COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, disciplinary, certified questions from federal courts, original proceeding cases.
- Discretionary jurisdiction in civil, criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

Court of last resort

COURT OF APPEALS A

10 judges generally sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, original proceeding, criminal interlocutory decision cases.
- Discretionary jurisdiction in civil interlocutory decision cases.

Intermediate appellate court

DISTRICT COURT (31 districts) A

146 judges and 70 magistrates

CSP casetypes:
- Exclusive civil jurisdiction (including civil appeals). Small claims jurisdiction ($ 1,000).
- Exclusive criminal jurisdiction (including criminal appeals).
- Moving traffic, miscellaneous traffic.
- Exclusive juvenile jurisdiction.

Jury trials except in small claims.

Court of general jurisdiction

MUNICIPAL COURT (~398 cities)

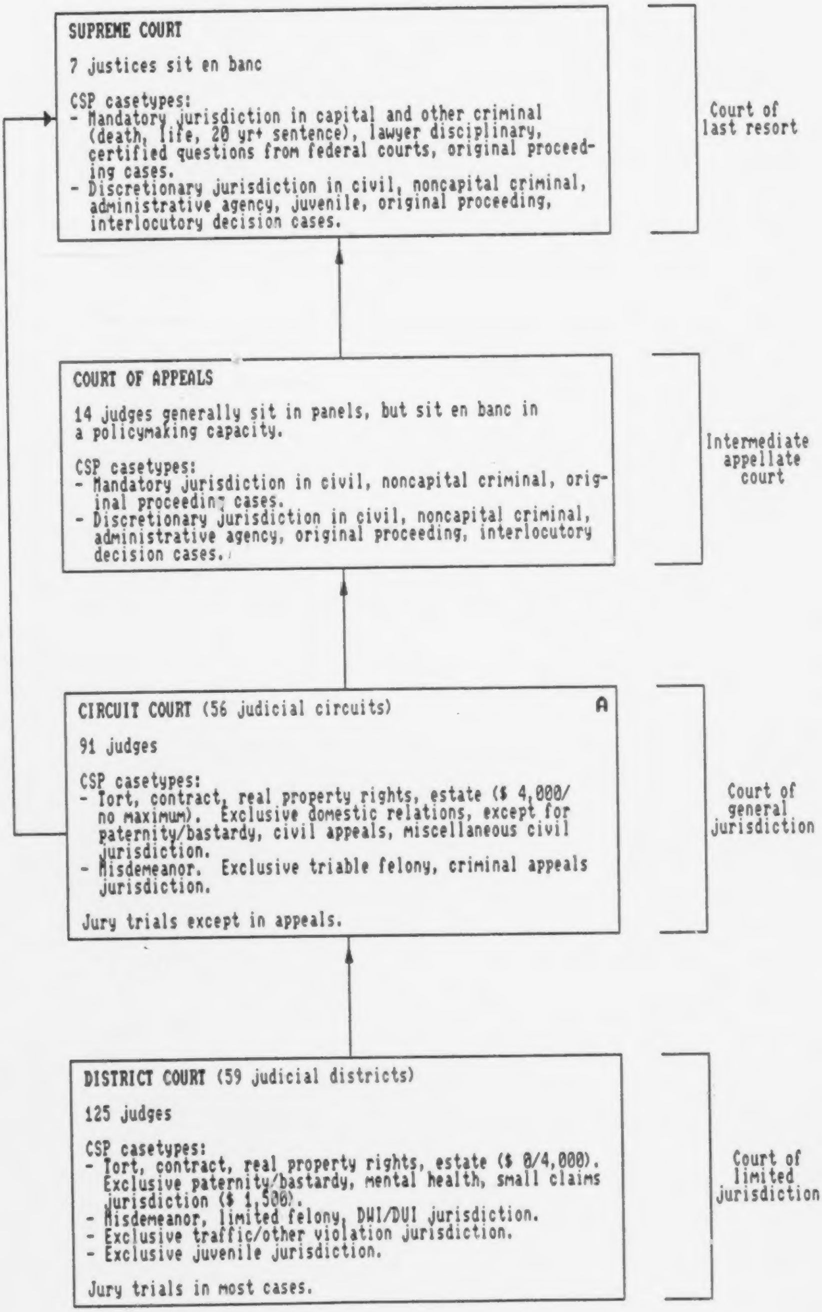
~314 judges

CSP casetypes:
- Moving traffic, miscellaneous traffic, DWI/DUI. Exclusive ordinance violation, parking jurisdiction.

No jury trials.

Court of limited jurisdiction

KENTUCKY COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in capital and other criminal (death, life, 20 yr+ sentence), lawyer disciplinary, certified questions from federal courts, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

Court of last resort

COURT OF APPEALS

14 judges generally sit in panels, but sit en banc in a policymaking capacity.

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, original proceeding, interlocutory decision cases.

Intermediate appellate court

CIRCUIT COURT (56 judicial circuits) A

91 judges

CSP casetypes:
- Tort, contract, real property rights, estate ($ 4,000/ no maximum). Exclusive domestic relations, except for paternity/bastardy, civil appeals, miscellaneous civil jurisdiction.
- Misdemeanor. Exclusive triable felony, criminal appeals jurisdiction.

Jury trials except in appeals.

Court of general jurisdiction

DISTRICT COURT (59 judicial districts)

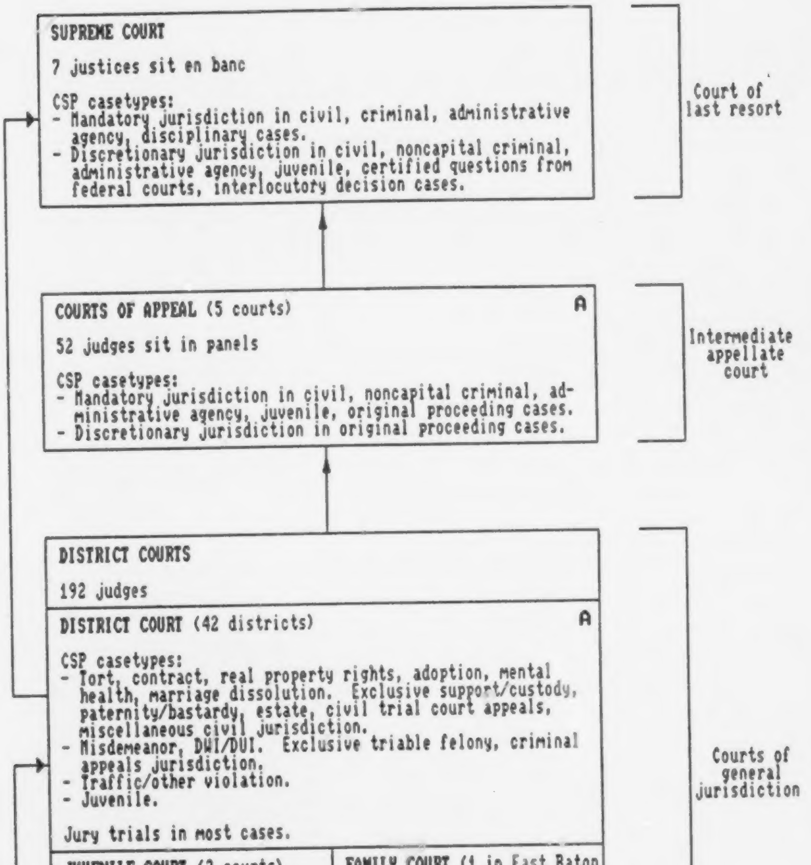
125 judges

CSP casetypes:
- Tort, contract, real property rights, estate ($ 0/4,000). Exclusive paternity/bastardy, mental health, small claims jurisdiction ($ 1,500).
- Misdemeanor, limited felony, DWI/DUI jurisdiction.
- Exclusive traffic/other violation jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials in most cases.

Court of limited jurisdiction

LOUISIANA COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, disciplinary cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, certified questions from federal courts, interlocutory decision cases.

Court of last resort

COURTS OF APPEAL (5 courts) A

52 judges sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding cases.
- Discretionary jurisdiction in original proceeding cases.

Intermediate appellate court

DISTRICT COURTS

192 judges

DISTRICT COURT (42 districts) A

CSP casetypes:
- Tort, contract, real property rights, adoption, mental health, marriage dissolution. Exclusive support/custody, paternity/bastardy, estate, civil trial court appeals, miscellaneous civil jurisdiction.
- Misdemeanor, DWI/DUI. Exclusive triable felony, criminal appeals jurisdiction.
- Traffic/other violation.
- Juvenile.

Jury trials in most cases.

JUVENILE COURT (3 courts)

CSP casetypes:
- URESA, adoption, mental health.
- Juvenile.

No jury trials.

FAMILY COURT (1 in East Baton Rouge)

CSP casetypes:
- URESA, adoption, mental health, marriage dissolution.
- Juvenile.

No jury trials.

Courts of general jurisdiction

JUSTICE OF THE PEACE COURT (~384 courts)

~384 justices of the peace

CSP casetypes:
- Tort, contract real property rights ($ 0/1200), small claims ($1200).
- Traffic/other violation.

No jury trials.

MAYOR'S COURT (~250 courts)

250 judges (Mayors)

CSP casetypes:
- Traffic/other violation.

No jury trials.

CITY AND PARISH COURTS (53 courts)

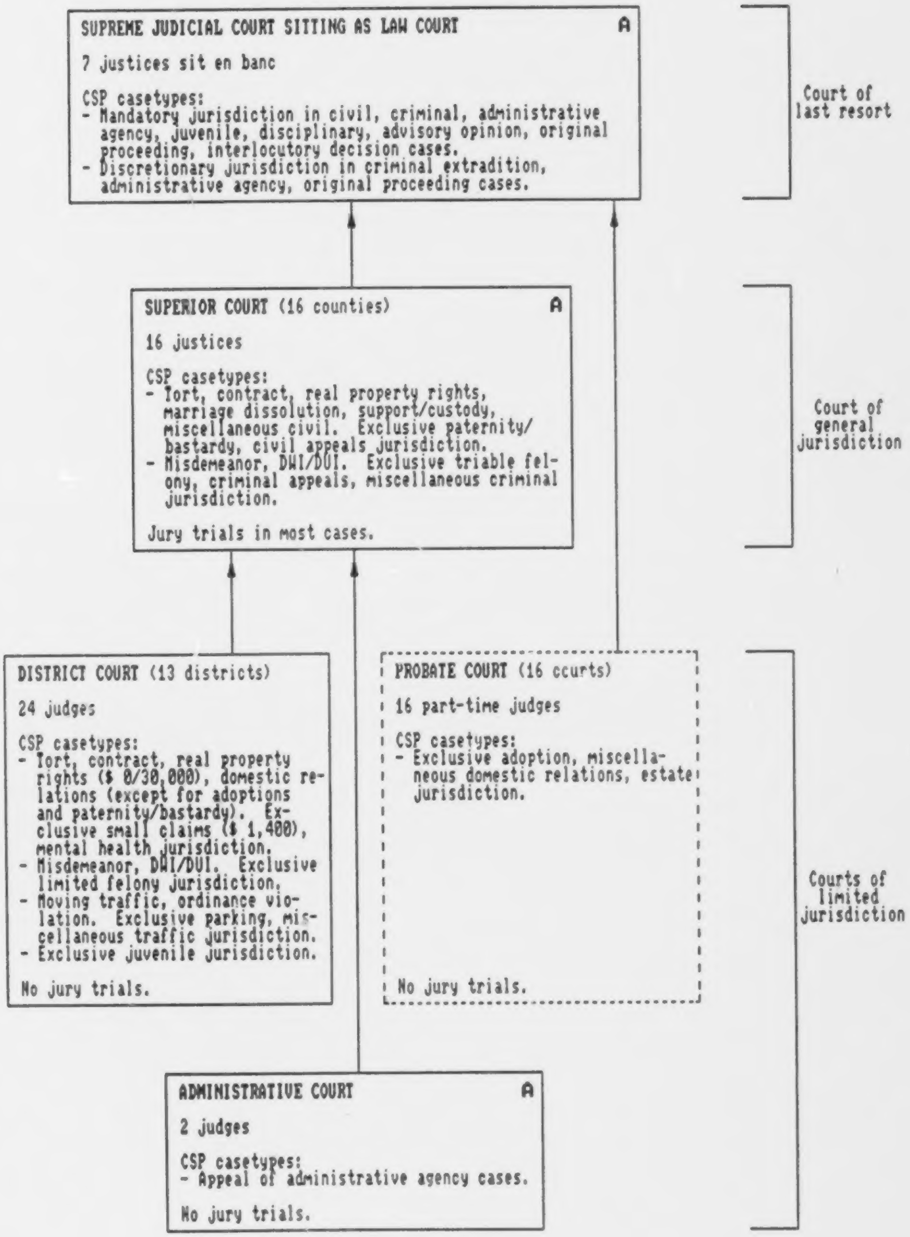
72 judges

CSP casetypes:
- Tort, contract, real property rights, ($ 0/5000), small claims ($ 2000).
- Misdemeanor, DWI/DUI.
- Traffic/other violation.
- Juvenile except for status petitions.

No jury trials.

Courts of limited jurisdiction

MAINE COURT STRUCTURE, 1988



SUPREME JUDICIAL COURT SITTING AS LAW COURT A

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, advisory opinion, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in criminal extradition, administrative agency, original proceeding cases.

Court of last resort

SUPERIOR COURT (16 counties) A

16 justices

CSP casetypes:
- Tort, contract, real property rights, marriage dissolution, support/custody, miscellaneous civil. Exclusive paternity/bastardy, civil appeals jurisdiction.
- Misdemeanor, DWI/DUI. Exclusive triable felony, criminal appeals, miscellaneous criminal jurisdiction.

Jury trials in most cases.

Court of general jurisdiction

DISTRICT COURT (13 districts)

24 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/30,000), domestic relations (except for adoptions and paternity/bastardy). Exclusive small claims ($ 1,400), mental health jurisdiction.
- Misdemeanor, DWI/DUI. Exclusive limited felony jurisdiction.
- Moving traffic, ordinance violation. Exclusive parking, miscellaneous traffic jurisdiction.
- Exclusive juvenile jurisdiction.

No jury trials.

PROBATE COURT (16 ccurts)

16 part-time judges

CSP casetypes:
- Exclusive adoption, miscellaneous domestic relations, estate jurisdiction.

No jury trials.

ADMINISTRATIVE COURT A

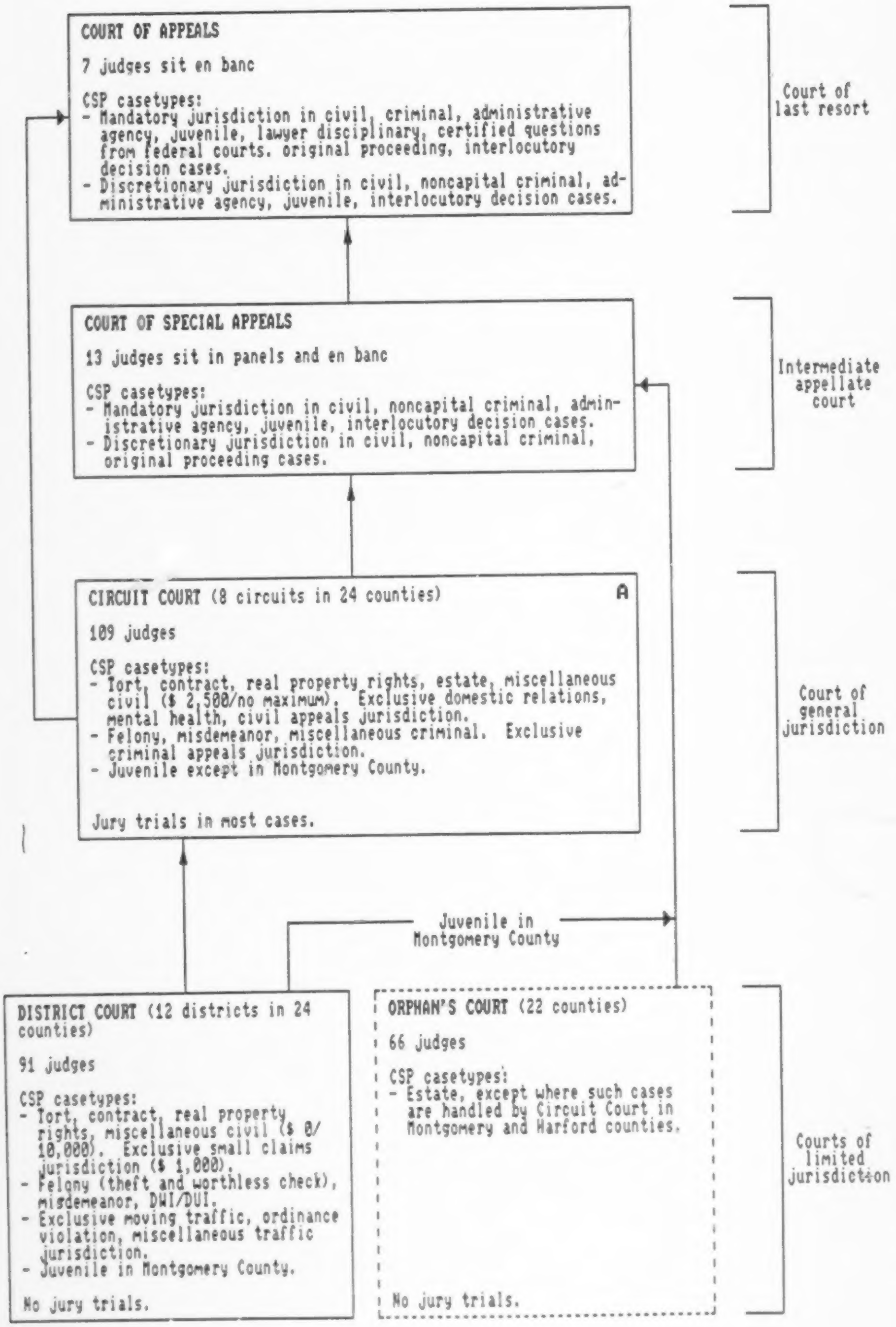
2 judges

CSP casetypes:
- Appeal of administrative agency cases.

No jury trials.

Courts of limited jurisdiction

MARYLAND COURT STRUCTURE, 1988



COURT OF APPEALS

7 judges sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, lawyer disciplinary, certified questions from federal courts, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, interlocutory decision cases.

COURT OF SPECIAL APPEALS

13 judges sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, original proceeding cases.

CIRCUIT COURT (8 circuits in 24 counties) A

109 judges

CSP casetypes:
- Tort, contract, real property rights, estate, miscellaneous civil ($ 2,500/no maximum). Exclusive domestic relations, mental health, civil appeals jurisdiction.
- Felony, misdemeanor, miscellaneous criminal. Exclusive criminal appeals jurisdiction.
- Juvenile except in Montgomery County.

Jury trials in most cases.

DISTRICT COURT (12 districts in 24 counties)

91 judges

CSP casetypes:
- Tort, contract, real property rights, miscellaneous civil ($ 0/10,000). Exclusive small claims jurisdiction ($ 1,000).
- Felony (theft and worthless check), misdemeanor, DWI/DUI.
- Exclusive moving traffic, ordinance violation, miscellaneous traffic jurisdiction.
- Juvenile in Montgomery County.

No jury trials.

ORPHAN'S COURT (22 counties)

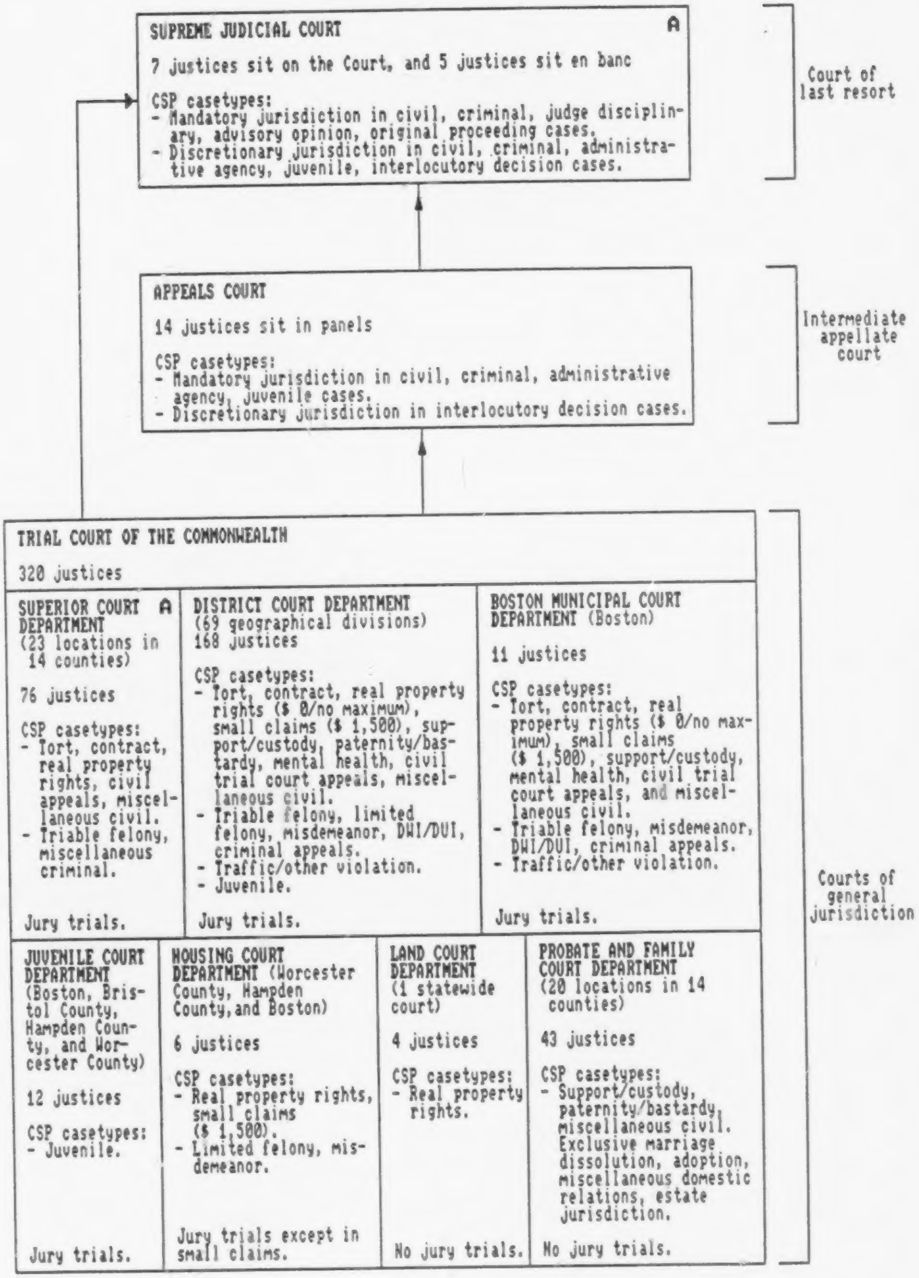
66 judges

CSP casetypes:
- Estate, except where such cases are handled by Circuit Court in Montgomery and Harford counties.

No jury trials.

Court of last resort
Intermediate appellate court
Court of general jurisdiction
Courts of limited jurisdiction
Juvenile in Montgomery County

MASSACHUSETTS COURT STRUCTURE, 1988



SUPREME JUDICIAL COURT

7 justices sit on the Court, and 5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, judge disciplinary, advisory opinion, original proceeding cases.
- Discretionary jurisdiction in civil, criminal, administrative agency, juvenile, interlocutory decision cases.

APPEALS COURT

14 justices sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile cases.
- Discretionary jurisdiction in interlocutory decision cases.

TRIAL COURT OF THE COMMONWEALTH

320 justices

SUPERIOR COURT DEPARTMENT
(23 locations in 14 counties)

76 justices

CSP casetypes:
- Tort, contract, real property rights, civil appeals, miscellaneous civil.
- Triable felony, miscellaneous criminal.

Jury trials.

DISTRICT COURT DEPARTMENT
(69 geographical divisions)
168 justices

CSP casetypes:
- Tort, contract, real property rights ($ 0/no maximum), small claims ($ 1,500), support/custody, paternity/bastardy, mental health, civil trial court appeals, miscellaneous civil.
- Triable felony, limited felony, misdemeanor, DWI/DUI, criminal appeals.
- Traffic/other violation.
- Juvenile.

Jury trials.

BOSTON MUNICIPAL COURT DEPARTMENT (Boston)

11 justices

CSP casetypes:
- Tort, contract, real property rights ($ 0/no maximum), small claims ($ 1,500), support/custody, mental health, civil trial court appeals, and miscellaneous civil.
- Triable felony, misdemeanor, DWI/DUI, criminal appeals.
- Traffic/other violation.

Jury trials.

JUVENILE COURT DEPARTMENT
(Boston, Bristol County, Hampden County, and Worcester County)

12 justices

CSP casetypes:
- Juvenile.

Jury trials.

HOUSING COURT DEPARTMENT (Worcester County, Hampden County, and Boston)

6 justices

CSP casetypes:
- Real property rights, small claims ($ 1,500).
- Limited felony, misdemeanor.

Jury trials except in small claims.

LAND COURT DEPARTMENT
(1 statewide court)

4 justices

CSP casetypes:
- Real property rights.

No jury trials.

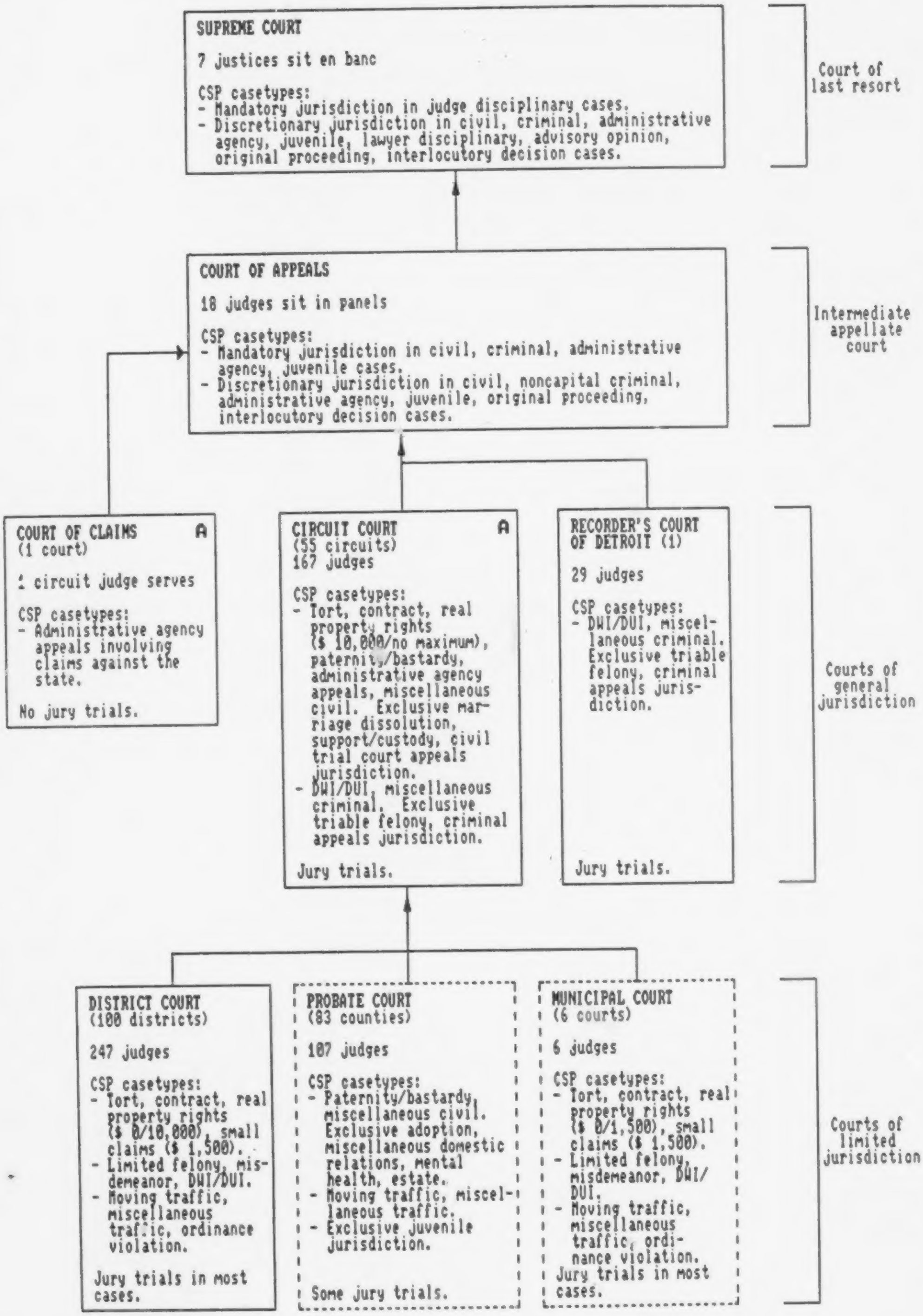
PROBATE AND FAMILY COURT DEPARTMENT
(20 locations in 14 counties)

43 justices

CSP casetypes:
- Support/custody, paternity/bastardy, miscellaneous civil. Exclusive marriage dissolution, adoption, miscellaneous domestic relations, estate jurisdiction.

No jury trials.

MICHIGAN COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in judge disciplinary cases.
- Discretionary jurisdiction in civil, criminal, administrative agency, juvenile, lawyer disciplinary, advisory opinion, original proceeding, interlocutory decision cases.

Court of last resort

COURT OF APPEALS

18 judges sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

Intermediate appellate court

COURT OF CLAIMS A
(1 court)

1 circuit judge serves

CSP casetypes:
- Administrative agency appeals involving claims against the state.

No jury trials.

CIRCUIT COURT A
(55 circuits)
167 judges

CSP casetypes:
- Tort, contract, real property rights ($ 10,000/no maximum), paternity/bastardy, administrative agency appeals, miscellaneous civil. Exclusive marriage dissolution, support/custody, civil trial court appeals jurisdiction.
- DWI/DUI, miscellaneous criminal. Exclusive triable felony, criminal appeals jurisdiction.

Jury trials.

RECORDER'S COURT OF DETROIT (1)

29 judges

CSP casetypes:
- DWI/DUI, miscellaneous criminal. Exclusive triable felony, criminal appeals jurisdiction.

Jury trials.

Courts of general jurisdiction

DISTRICT COURT
(100 districts)

247 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/10,000), small claims ($ 1,500).
- Limited felony, misdemeanor, DWI/DUI.
- Moving traffic, miscellaneous traffic, ordinance violation.

Jury trials in most cases.

PROBATE COURT
(83 counties)

107 judges

CSP casetypes:
- Paternity/bastardy, miscellaneous civil. Exclusive adoption, miscellaneous domestic relations, mental health, estate.
- Moving traffic, miscellaneous traffic.
- Exclusive juvenile jurisdiction.

Some jury trials.

MUNICIPAL COURT
(6 courts)

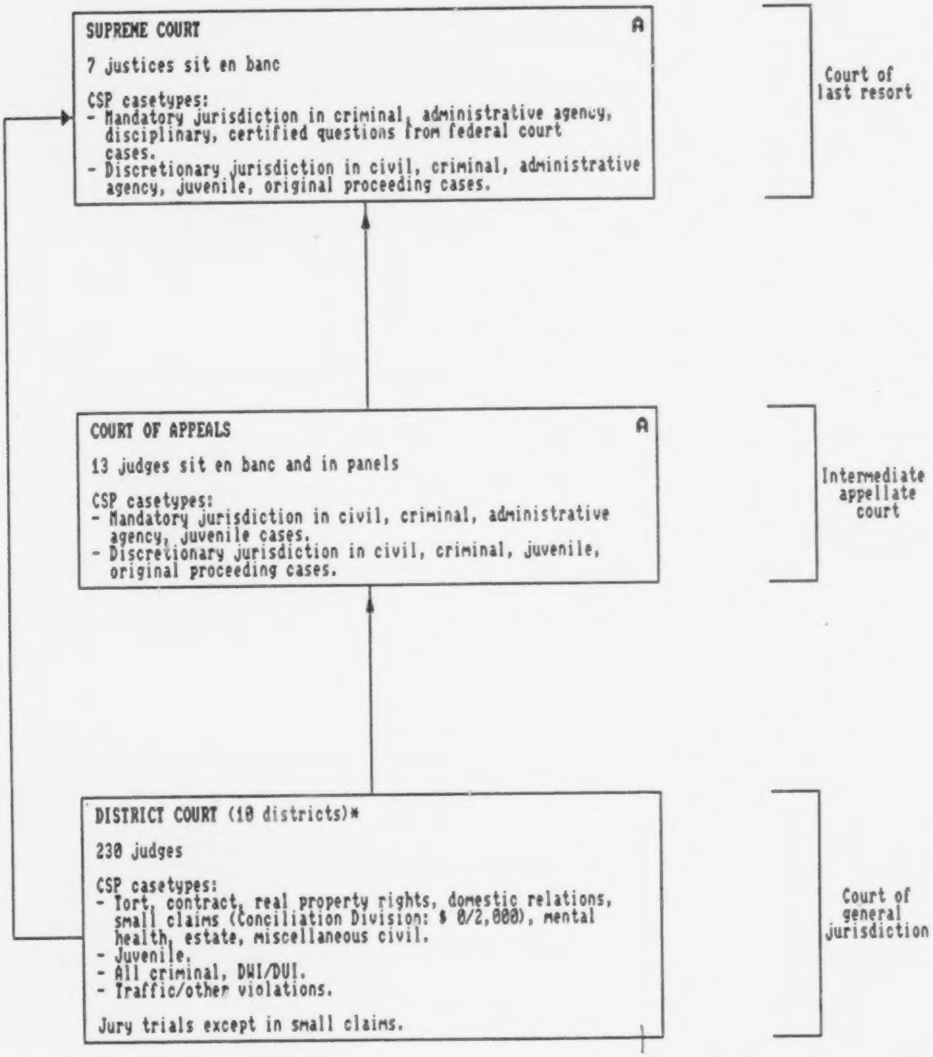
6 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/1,500), small claims ($ 1,500).
- Limited felony, misdemeanor, DWI/DUI.
- Moving traffic, miscellaneous traffic, ordinance violation.

Jury trials in most cases.

Courts of limited jurisdiction

MINNESOTA COURT STRUCTURE, 1988



SUPREME COURT A

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in criminal, administrative agency, disciplinary, certified questions from federal court cases.
- Discretionary jurisdiction in civil, criminal, administrative agency, juvenile, original proceeding cases.

Court of last resort

COURT OF APPEALS A

13 judges sit en banc and in panels

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile cases.
- Discretionary jurisdiction in civil, criminal, juvenile, original proceeding cases.

Intermediate appellate court

DISTRICT COURT (10 districts)*

230 judges

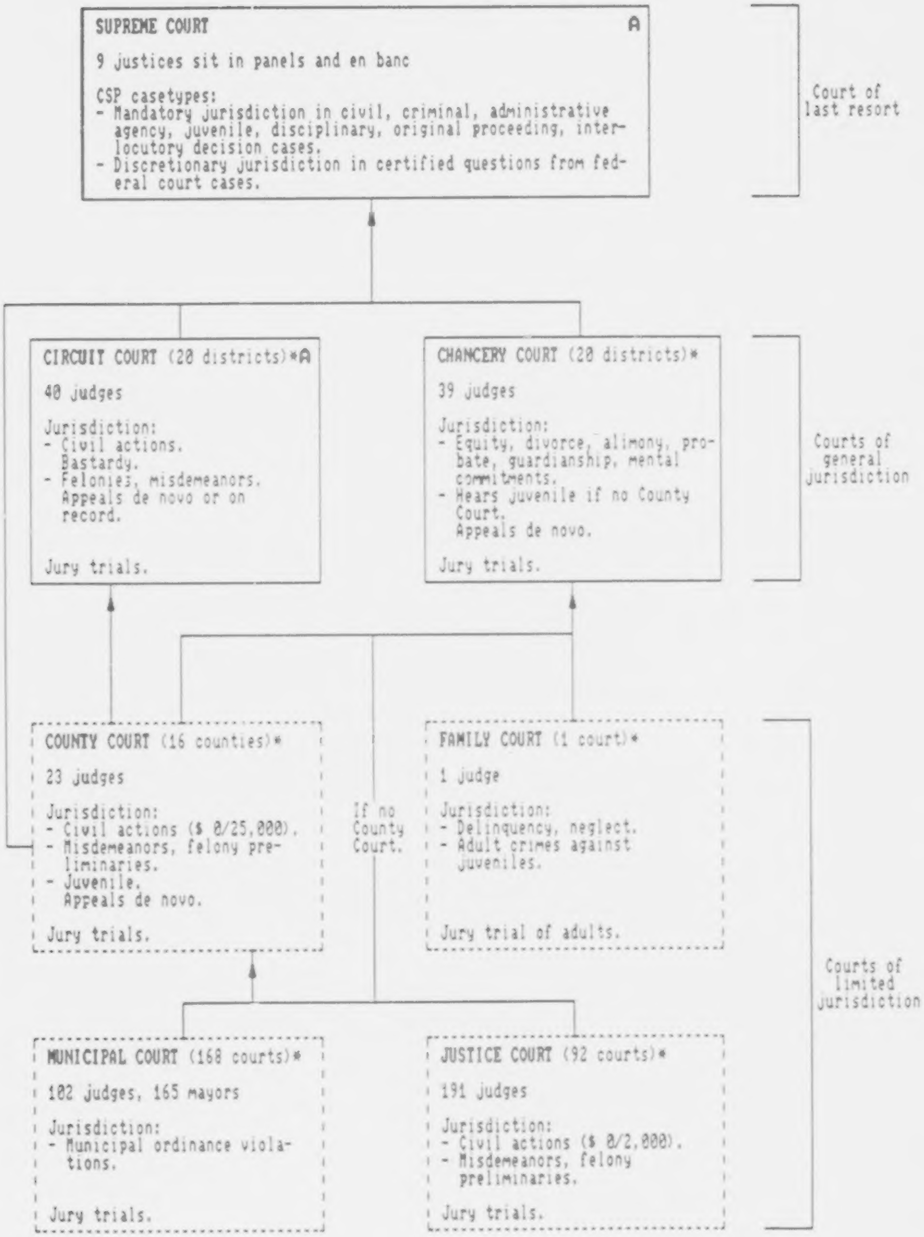
CSP casetypes:
- Tort, contract, real property rights, domestic relations, small claims (Conciliation Division: $ 0/2,000), mental health, estate, miscellaneous civil.
- Juvenile.
- All criminal, DWI/DUI.
- Traffic/other violations.

Jury trials except in small claims.

Court of general jurisdiction

* The District Court was consolidated in September, 1987.

MISSISSIPPI COURT STRUCTURE, 1988


Court of last resort
Courts of general jurisdiction
Courts of limited jurisdiction
If no County Court.

SUPREME COURT A

9 justices sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in certified questions from federal court cases.

CIRCUIT COURT (20 districts)*A

40 judges

Jurisdiction:
- Civil actions. Bastardy.
- Felonies, misdemeanors. Appeals de novo or on record.

Jury trials.

CHANCERY COURT (20 districts)*

39 judges

Jurisdiction:
- Equity, divorce, alimony, probate, guardianship, mental commitments.
- Hears juvenile if no County Court. Appeals de novo.

Jury trials.

COUNTY COURT (16 counties)*

23 judges

Jurisdiction:
- Civil actions ($ 0/25,000).
- Misdemeanors, felony preliminaries.
- Juvenile. Appeals de novo.

Jury trials.

FAMILY COURT (1 court)*

1 judge

Jurisdiction:
- Delinquency, neglect.
- Adult crimes against juveniles.

Jury trial of adults.

MUNICIPAL COURT (168 courts)*

102 judges, 165 mayors

Jurisdiction:
- Municipal ordinance violations.

Jury trials.

JUSTICE COURT (92 courts)*

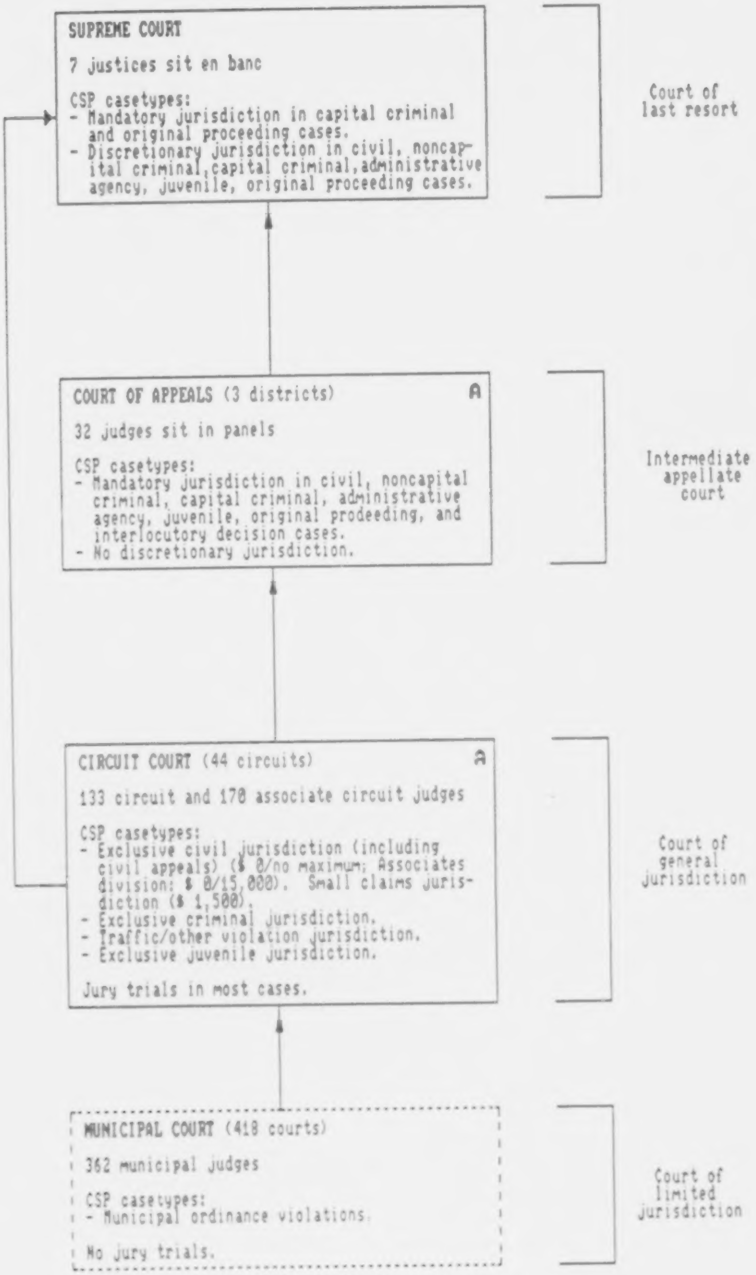
191 judges

Jurisdiction:
- Civil actions ($ 0/2,000).
- Misdemeanors, felony preliminaries.

Jury trials.

* A trial court jurisdiction guide was never completed by Mississippi, and data are unavailable for the trial courts; therefore, the trial court terminology reported in this court structure chart does not reflect CSP model reporting terms.

MISSOURI COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in capital criminal and original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, capital criminal, administrative agency, juvenile, original proceeding cases.

COURT OF APPEALS (3 districts) A

32 judges sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, capital criminal, administrative agency, juvenile, original prodeeding, and interlocutory decision cases.
- No discretionary jurisdiction.

CIRCUIT COURT (44 circuits) A

133 circuit and 170 associate circuit judges

CSP casetypes:
- Exclusive civil jurisdiction (including civil appeals) ($ 0/no maximum; Associates division: $ 0/15,000). Small claims jurisdiction ($ 1,500).
- Exclusive criminal jurisdiction.
- Traffic/other violation jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials in most cases.

MUNICIPAL COURT (418 courts)

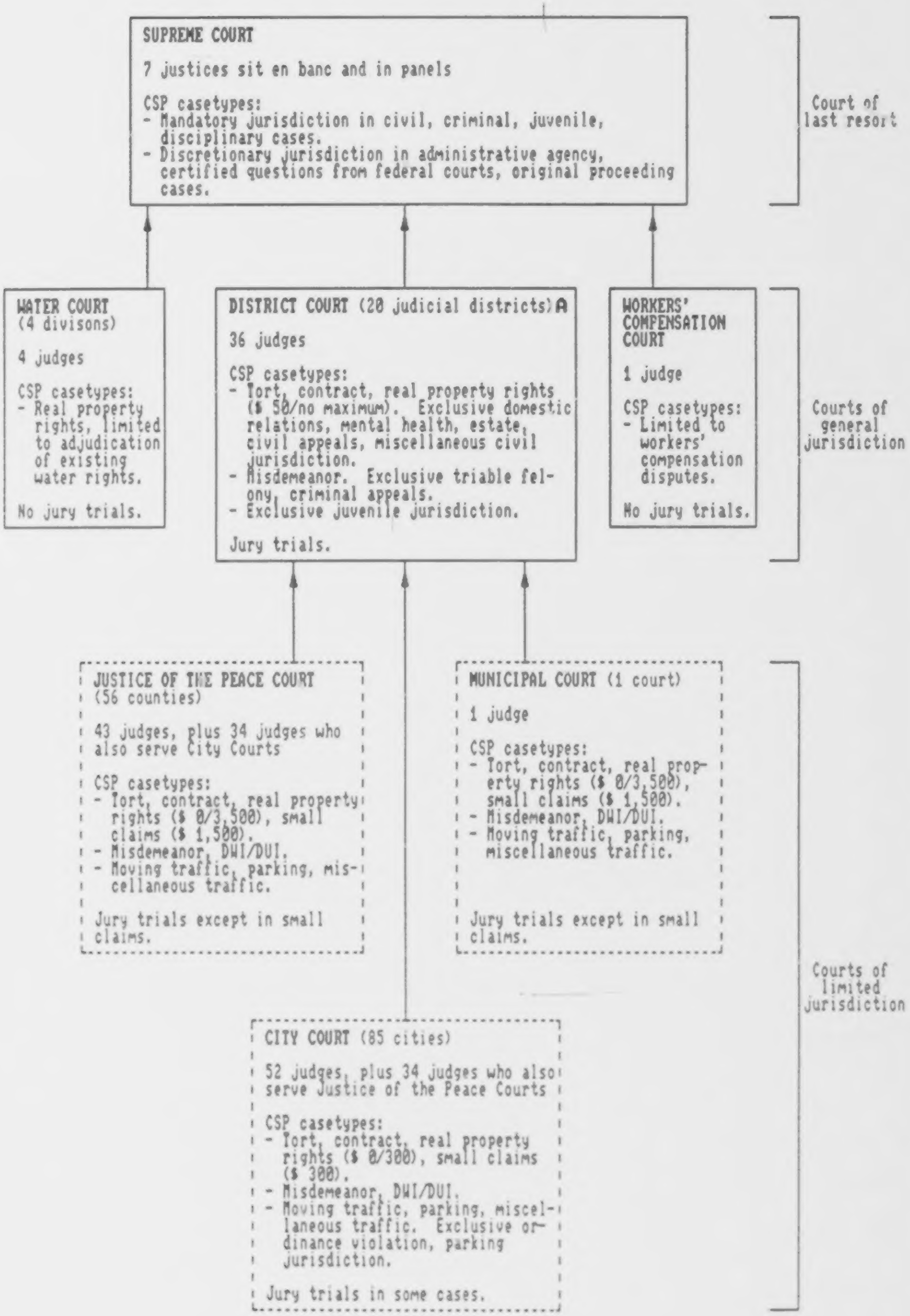
362 municipal judges

CSP casetypes:
- Municipal ordinance violations.

No jury trials.

Court of last resort
Intermediate appellate court
Court of general jurisdiction
Court of limited jurisdiction

MONTANA COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc and in panels

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, juvenile, disciplinary cases.
- Discretionary jurisdiction in administrative agency, certified questions from federal courts, original proceeding cases.

Court of last resort

WATER COURT
(4 divisons)

4 judges

CSP casetypes:
- Real property rights, limited to adjudication of existing water rights.

No jury trials.

DISTRICT COURT (20 judicial districts) A

36 judges

CSP casetypes:
- Tort, contract, real property rights ($ 50/no maximum). Exclusive domestic relations, mental health, estate, civil appeals, miscellaneous civil jurisdiction.
- Misdemeanor. Exclusive triable felony, criminal appeals.
- Exclusive juvenile jurisdiction.

Jury trials.

WORKERS' COMPENSATION COURT

1 judge

CSP casetypes:
- Limited to workers' compensation disputes.

No jury trials.

Courts of general jurisdiction

JUSTICE OF THE PEACE COURT
(56 counties)

43 judges, plus 34 judges who also serve City Courts

CSP casetypes:
- Tort, contract, real property rights ($ 0/3,500), small claims ($ 1,500).
- Misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous traffic.

Jury trials except in small claims.

MUNICIPAL COURT (1 court)

1 judge

CSP casetypes:
- Tort, contract, real property rights ($ 0/3,500), small claims ($ 1,500).
- Misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous traffic.

Jury trials except in small claims.

CITY COURT (85 cities)

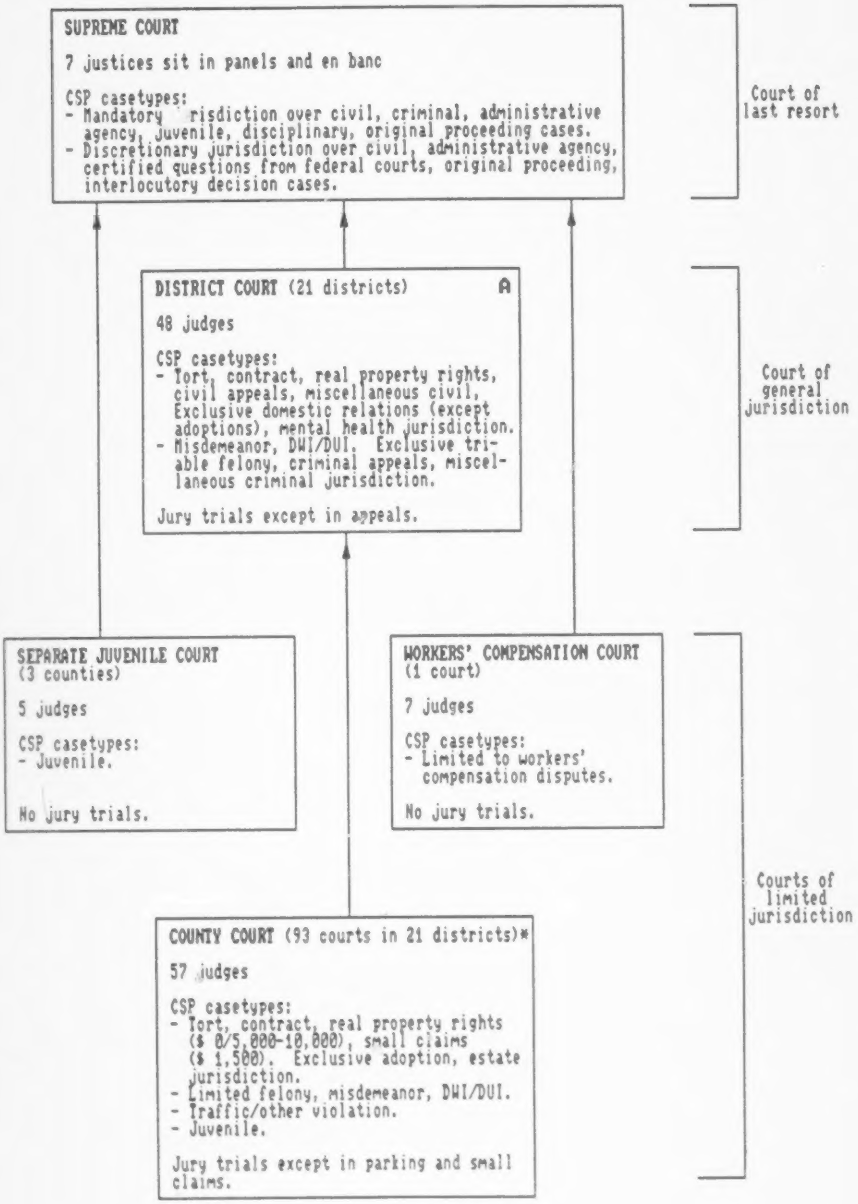
52 judges, plus 34 judges who also serve Justice of the Peace Courts

CSP casetypes:
- Tort, contract, real property rights ($ 0/300), small claims ($ 300).
- Misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous traffic. Exclusive ordinance violation, parking jurisdiction.

Jury trials in some cases.

Courts of limited jurisdiction

NEBRASKA COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction over civil, criminal, administrative agency, juvenile, disciplinary, original proceeding cases.
- Discretionary jurisdiction over civil, administrative agency, certified questions from federal courts, original proceeding, interlocutory decision cases.

DISTRICT COURT (21 districts) A

48 judges

CSP casetypes:
- Tort, contract, real property rights, civil appeals, miscellaneous civil. Exclusive domestic relations (except adoptions), mental health jurisdiction.
- Misdemeanor, DWI/DUI. Exclusive triable felony, criminal appeals, miscellaneous criminal jurisdiction.

Jury trials except in appeals.

SEPARATE JUVENILE COURT
(3 counties)

5 judges

CSP casetypes:
- Juvenile.

No jury trials.

WORKERS' COMPENSATION COURT
(1 court)

7 judges

CSP casetypes:
- Limited to workers' compensation disputes.

No jury trials.

COUNTY COURT (93 courts in 21 districts)*

57 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/5,000-10,000), small claims ($ 1,500). Exclusive adoption, estate jurisdiction.
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.
- Juvenile.

Jury trials except in parking and small claims.

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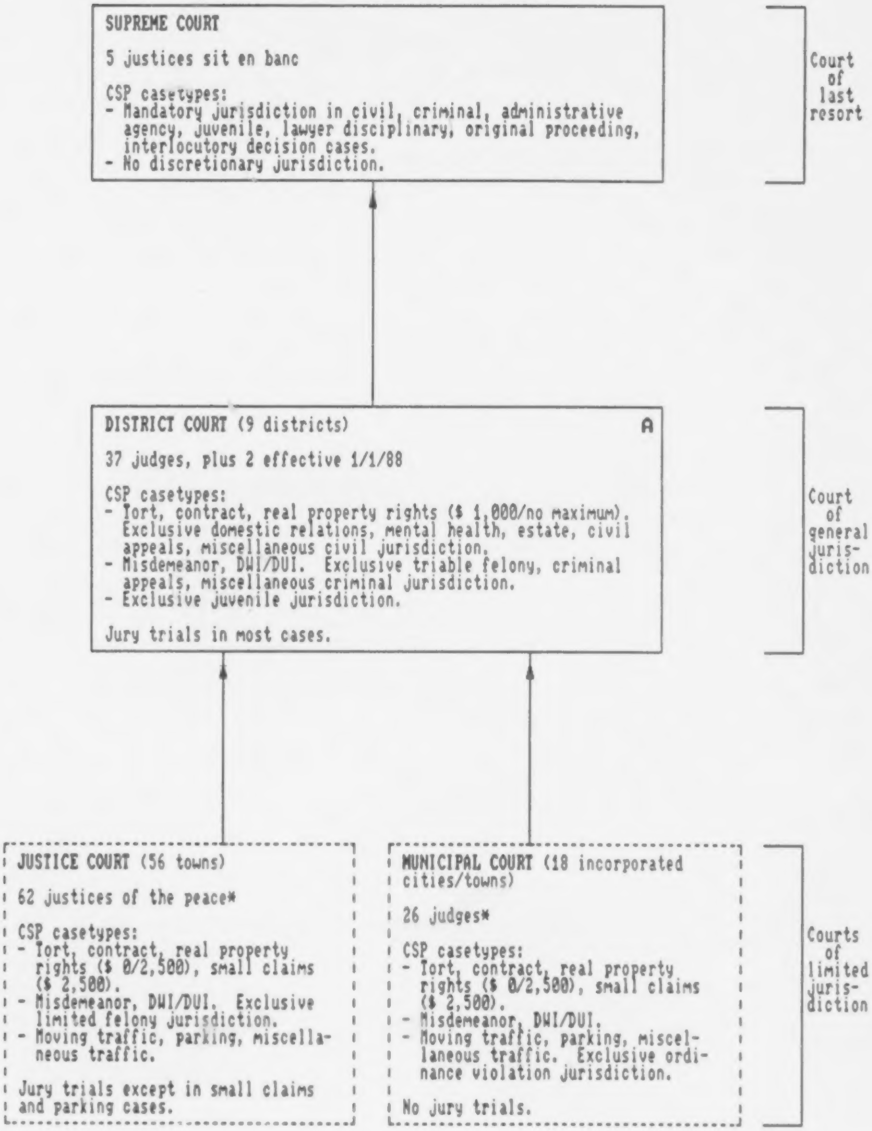
* In July 1985, the Municipal Courts were merged with the County Courts.

NEVADA COURT STRUCTURE, 1988



SUPREME COURT

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, lawyer disciplinary, original proceeding, interlocutory decision cases.
- No discretionary jurisdiction.

Court of last resort

DISTRICT COURT (9 districts) A

37 judges, plus 2 effective 1/1/88

CSP casetypes:
- Tort, contract, real property rights ($ 1,000/no maximum). Exclusive domestic relations, mental health, estate, civil appeals, miscellaneous civil jurisdiction.
- Misdemeanor, DWI/DUI. Exclusive triable felony, criminal appeals, miscellaneous criminal jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials in most cases.

Court of general jurisdiction

JUSTICE COURT (56 towns)

62 justices of the peace*

CSP casetypes:
- Tort, contract, real property rights ($ 0/2,500), small claims ($ 2,500).
- Misdemeanor, DWI/DUI. Exclusive limited felony jurisdiction.
- Moving traffic, parking, miscellaneous traffic.

Jury trials except in small claims and parking cases.

MUNICIPAL COURT (18 incorporated cities/towns)

26 judges*

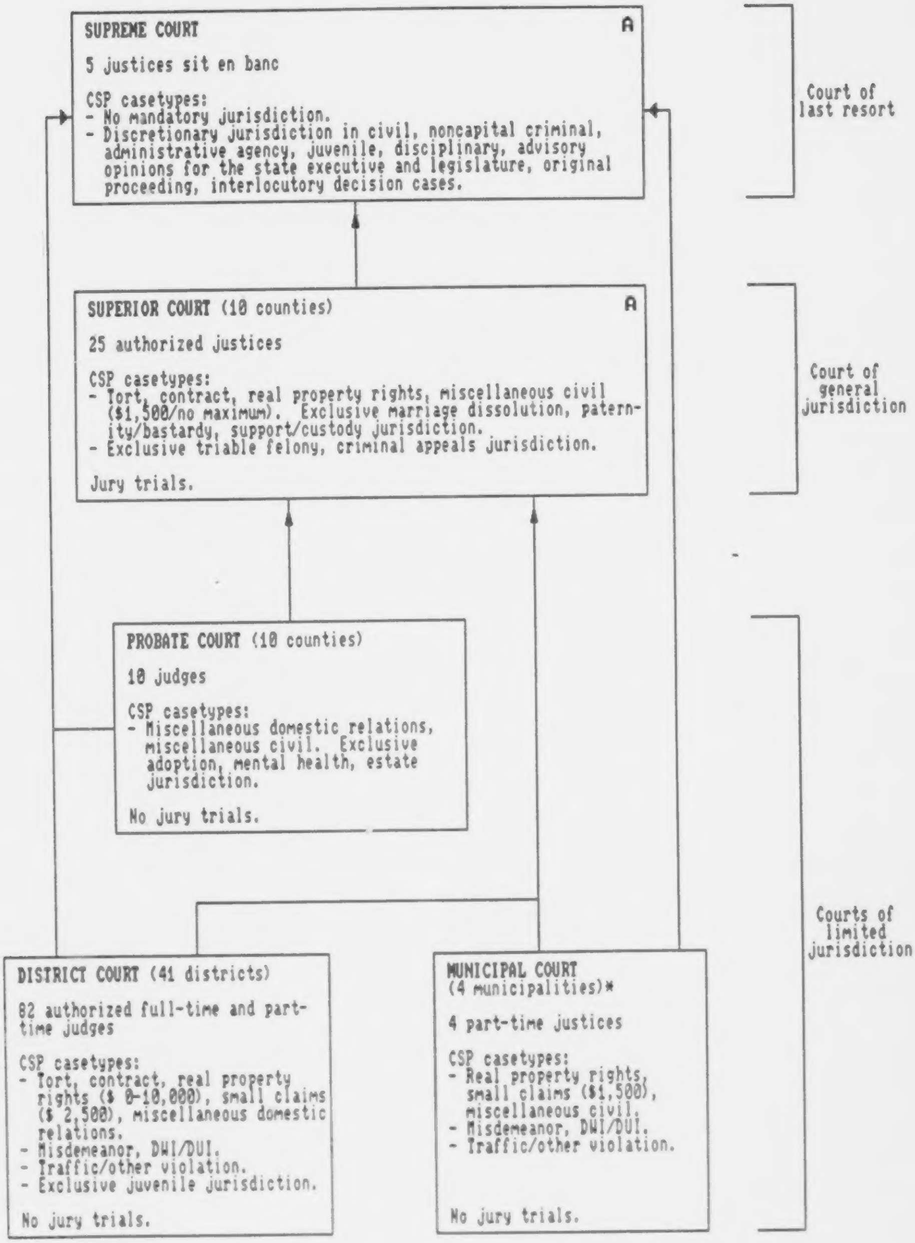
CSP casetypes:
- Tort, contract, real property rights ($ 0/2,500), small claims ($ 2,500).
- Misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous traffic. Exclusive ordinance violation jurisdiction.

No jury trials.

Courts of limited jurisdiction

* Eight justices of the peace also serve as Municipal Court judges.

NEW HAMPSHIRE COURT STRUCTURE, 1988



SUPREME COURT A

5 justices sit en banc

CSP casetypes:
- No mandatory jurisdiction.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, disciplinary, advisory opinions for the state executive and legislature, original proceeding, interlocutory decision cases.

Court of last resort

SUPERIOR COURT (10 counties) A

25 authorized justices

CSP casetypes:
- Tort, contract, real property rights, miscellaneous civil ($1,500/no maximum). Exclusive marriage dissolution, paternity/bastardy, support/custody jurisdiction.
- Exclusive triable felony, criminal appeals jurisdiction.

Jury trials.

Court of general jurisdiction

PROBATE COURT (10 counties)

10 judges

CSP casetypes:
- Miscellaneous domestic relations, miscellaneous civil. Exclusive adoption, mental health, estate jurisdiction.

No jury trials.

DISTRICT COURT (41 districts)

82 authorized full-time and part-time judges

CSP casetypes:
- Tort, contract, real property rights ($ 0-10,000), small claims ($ 2,500), miscellaneous domestic relations.
- Misdemeanor, DWI/DUI.
- Traffic/other violation.
- Exclusive juvenile jurisdiction.

No jury trials.

MUNICIPAL COURT
(4 municipalities)*

4 part-time justices

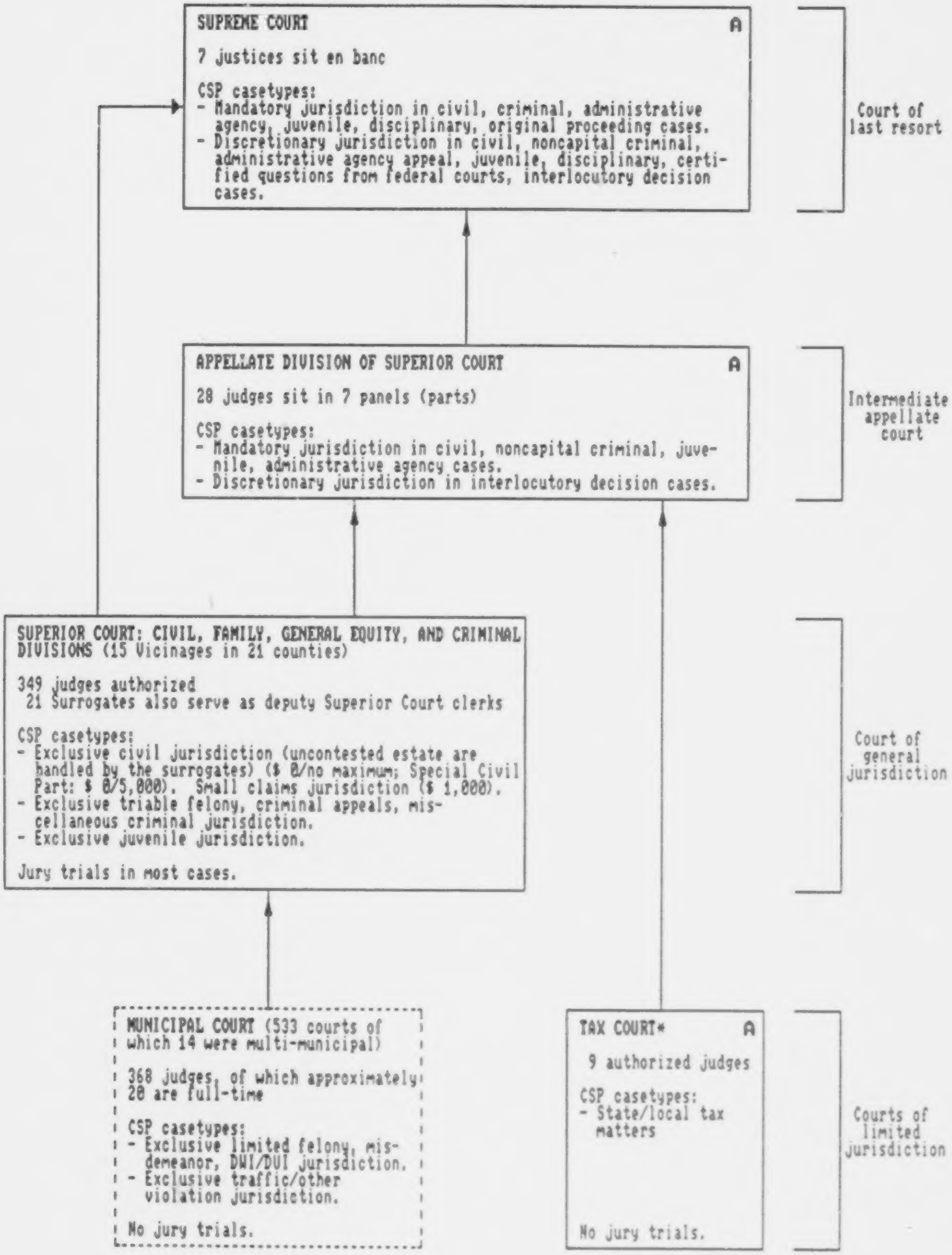
CSP casetypes:
- Real property rights, small claims ($1,500), miscellaneous civil.
- Misdemeanor, DWI/DUI.
- Traffic/other violation.

No jury trials.

Courts of limited jurisdiction

* The Municipal Court is being phased out (by statute) upon retirement and/or resignation of sitting justices.

NEW JERSEY COURT STRUCTURE, 1988



SUPREME COURT A

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency appeal, juvenile, disciplinary, certified questions from federal courts, interlocutory decision cases.

APPELLATE DIVISION OF SUPERIOR COURT A

28 judges sit in 7 panels (parts)

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, juvenile, administrative agency cases.
- Discretionary jurisdiction in interlocutory decision cases.

SUPERIOR COURT: CIVIL, FAMILY, GENERAL EQUITY, AND CRIMINAL DIVISIONS (15 Vicinages in 21 counties)

349 judges authorized
21 Surrogates also serve as deputy Superior Court clerks

CSP casetypes:
- Exclusive civil jurisdiction (uncontested estate are handled by the surrogates) ($ 0/no maximum; Special Civil Part: $ 0/5,000). Small claims jurisdiction ($ 1,000).
- Exclusive triable felony, criminal appeals, miscellaneous criminal jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials in most cases.

MUNICIPAL COURT (533 courts of which 14 were multi-municipal)

368 judges, of which approximately 20 are full-time

CSP casetypes:
- Exclusive limited felony, misdemeanor, DWI/DUI jurisdiction.
- Exclusive traffic/other violation jurisdiction.

No jury trials.

TAX COURT* A

9 authorized judges

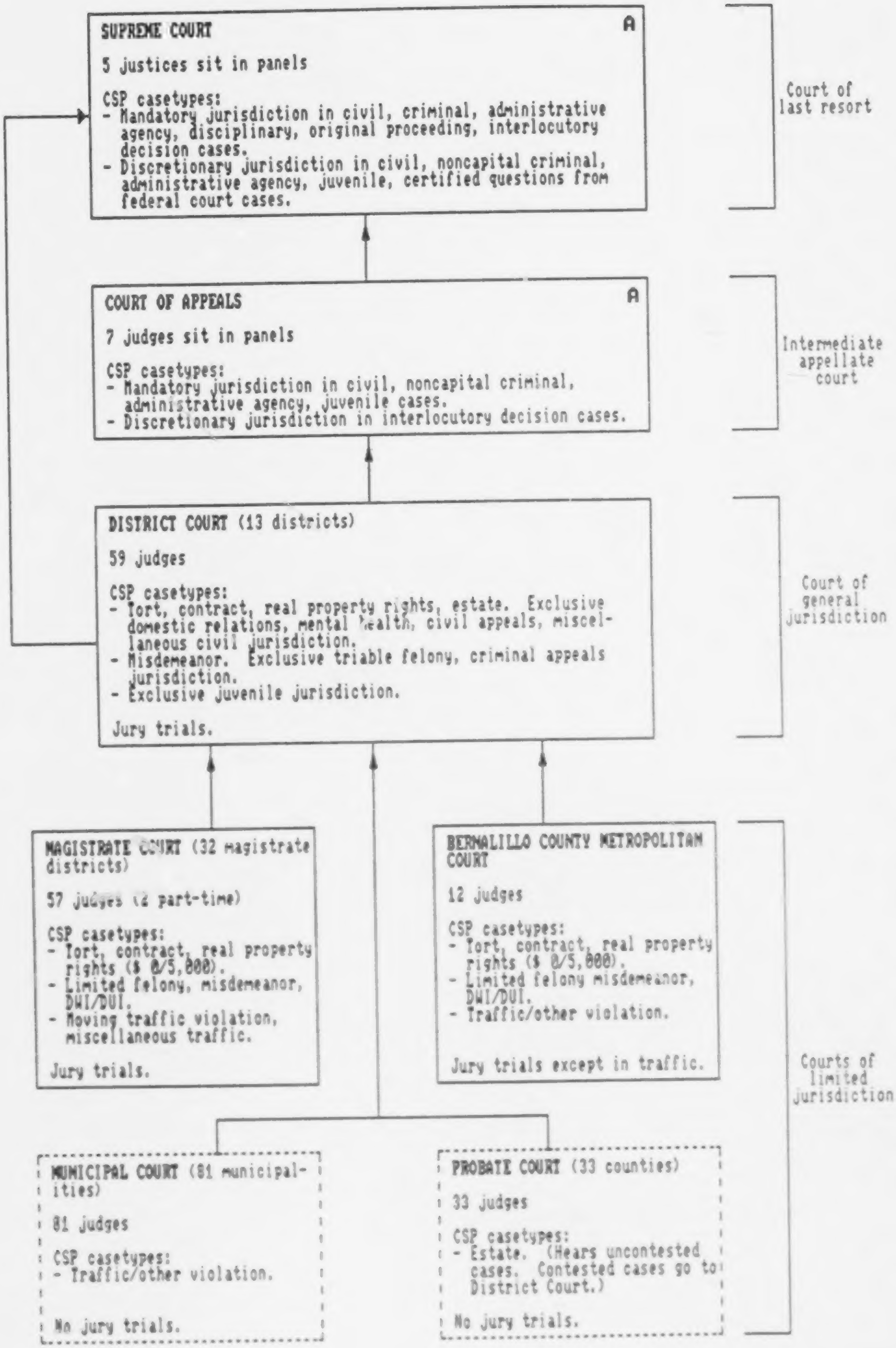
CSP casetypes:
- State/local tax matters

No jury trials.

Court of last resort
Intermediate appellate court
Court of general jurisdiction
Courts of limited jurisdiction

* Tax Court is considered a limited jurisdiction court because of its specialized subject matter. Nevertheless, it receives appeals from administrative bodies and its cases are appealed to the intermediate appellate court. Tax Court judges have the same general qualifications and terms of service as Superior Court judges and can be cross assigned.

NEW MEXICO COURT STRUCTURE, 1988



SUPREME COURT A

5 justices sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, disciplinary, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, certified questions from federal court cases.

Court of last resort

COURT OF APPEALS A

7 judges sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile cases.
- Discretionary jurisdiction in interlocutory decision cases.

Intermediate appellate court

DISTRICT COURT (13 districts)

59 judges

CSP casetypes:
- Tort, contract, real property rights, estate. Exclusive domestic relations, mental health, civil appeals, miscellaneous civil jurisdiction.
- Misdemeanor. Exclusive triable felony, criminal appeals jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials.

Court of general jurisdiction

MAGISTRATE COURT (32 magistrate districts)

57 judges (2 part-time)

CSP casetypes:
- Tort, contract, real property rights ($ 0/5,000).
- Limited felony, misdemeanor, DWI/DUI.
- Moving traffic violation, miscellaneous traffic.

Jury trials.

BERNALILLO COUNTY METROPOLITAN COURT

12 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/5,000).
- Limited felony misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials except in traffic.

MUNICIPAL COURT (81 municipalities)

81 judges

CSP casetypes:
- Traffic/other violation.

No jury trials.

PROBATE COURT (33 counties)

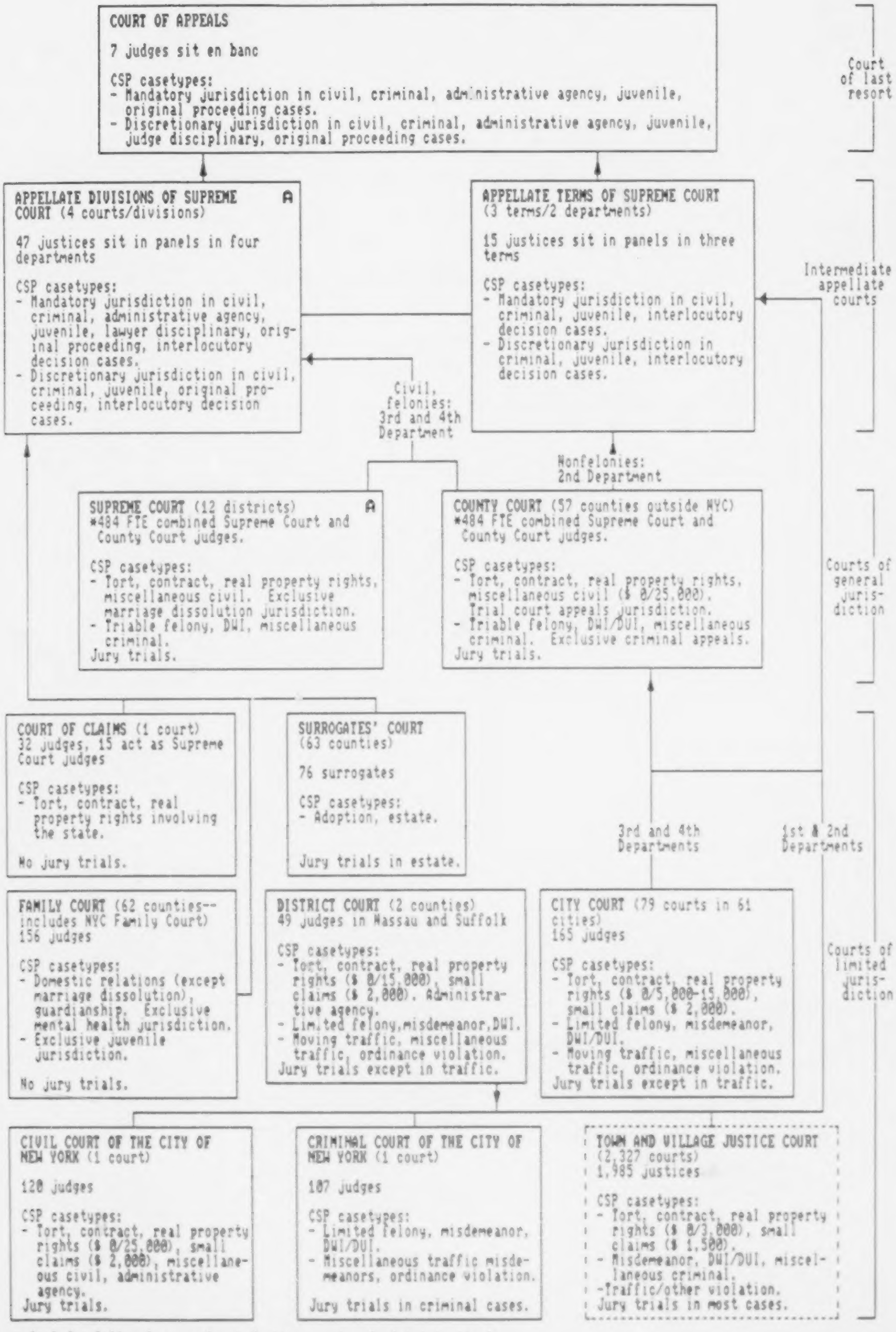
33 judges

CSP casetypes:
- Estate. (Hears uncontested cases. Contested cases go to District Court.)

No jury trials.

Courts of limited jurisdiction

NEW YORK COURT STRUCTURE, 1988



COURT OF APPEALS

7 judges sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, original proceeding cases.
- Discretionary jurisdiction in civil, criminal, administrative agency, juvenile, judge disciplinary, original proceeding cases.

Court of last resort

APPELLATE DIVISIONS OF SUPREME COURT (4 courts/divisions) A

47 justices sit in panels in four departments

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, lawyer disciplinary, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, criminal, juvenile, original proceeding, interlocutory decision cases.

APPELLATE TERMS OF SUPREME COURT (3 terms/2 departments)

15 justices sit in panels in three terms

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, juvenile, interlocutory decision cases.
- Discretionary jurisdiction in criminal, juvenile, interlocutory decision cases.

Intermediate appellate courts

Civil, felonies: 3rd and 4th Department

Nonfelonies: 2nd Department

SUPREME COURT (12 districts) A
*484 FTE combined Supreme Court and County Court judges.

CSP casetypes:
- Tort, contract, real property rights, miscellaneous civil. Exclusive marriage dissolution jurisdiction.
- Triable felony, DWI, miscellaneous criminal.

Jury trials.

COUNTY COURT (57 counties outside NYC)
*484 FTE combined Supreme Court and County Court judges.

CSP casetypes:
- Tort, contract, real property rights, miscellaneous civil ($ 0/25,000). Trial court appeals jurisdiction.
- Triable felony, DWI/DUI, miscellaneous criminal. Exclusive criminal appeals.

Jury trials.

Courts of general jurisdiction

COURT OF CLAIMS (1 court)
32 judges, 15 act as Supreme Court judges

CSP casetypes:
- Tort, contract, real property rights involving the state.

No jury trials.

SURROGATES' COURT
(63 counties)

76 surrogates

CSP casetypes:
- Adoption, estate.

Jury trials in estate.

3rd and 4th Departments

1st & 2nd Departments

FAMILY COURT (62 counties--includes NYC Family Court)
156 judges

CSP casetypes:
- Domestic relations (except marriage dissolution), guardianship. Exclusive mental health jurisdiction.
- Exclusive juvenile jurisdiction.

No jury trials.

DISTRICT COURT (2 counties)
49 judges in Nassau and Suffolk

CSP casetypes:
- Tort, contract, real property rights ($ 0/15,000), small claims ($ 2,000). Administrative agency.
- Limited felony, misdemeanor, DWI.
- Moving traffic, miscellaneous traffic, ordinance violation.

Jury trials except in traffic.

CITY COURT (79 courts in 61 cities)
165 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/5,000-15,000), small claims ($ 2,000).
- Limited felony, misdemeanor, DWI/DUI.
- Moving traffic, miscellaneous traffic, ordinance violation.

Jury trials except in traffic.

Courts of limited jurisdiction

CIVIL COURT OF THE CITY OF NEW YORK (1 court)

120 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/25,000), small claims ($ 2,000), miscellaneous civil, administrative agency.

Jury trials.

CRIMINAL COURT OF THE CITY OF NEW YORK (1 court)

107 judges

CSP casetypes:
- Limited felony, misdemeanor, DWI/DUI.
- Miscellaneous traffic misdemeanors, ordinance violation.

Jury trials in criminal cases.

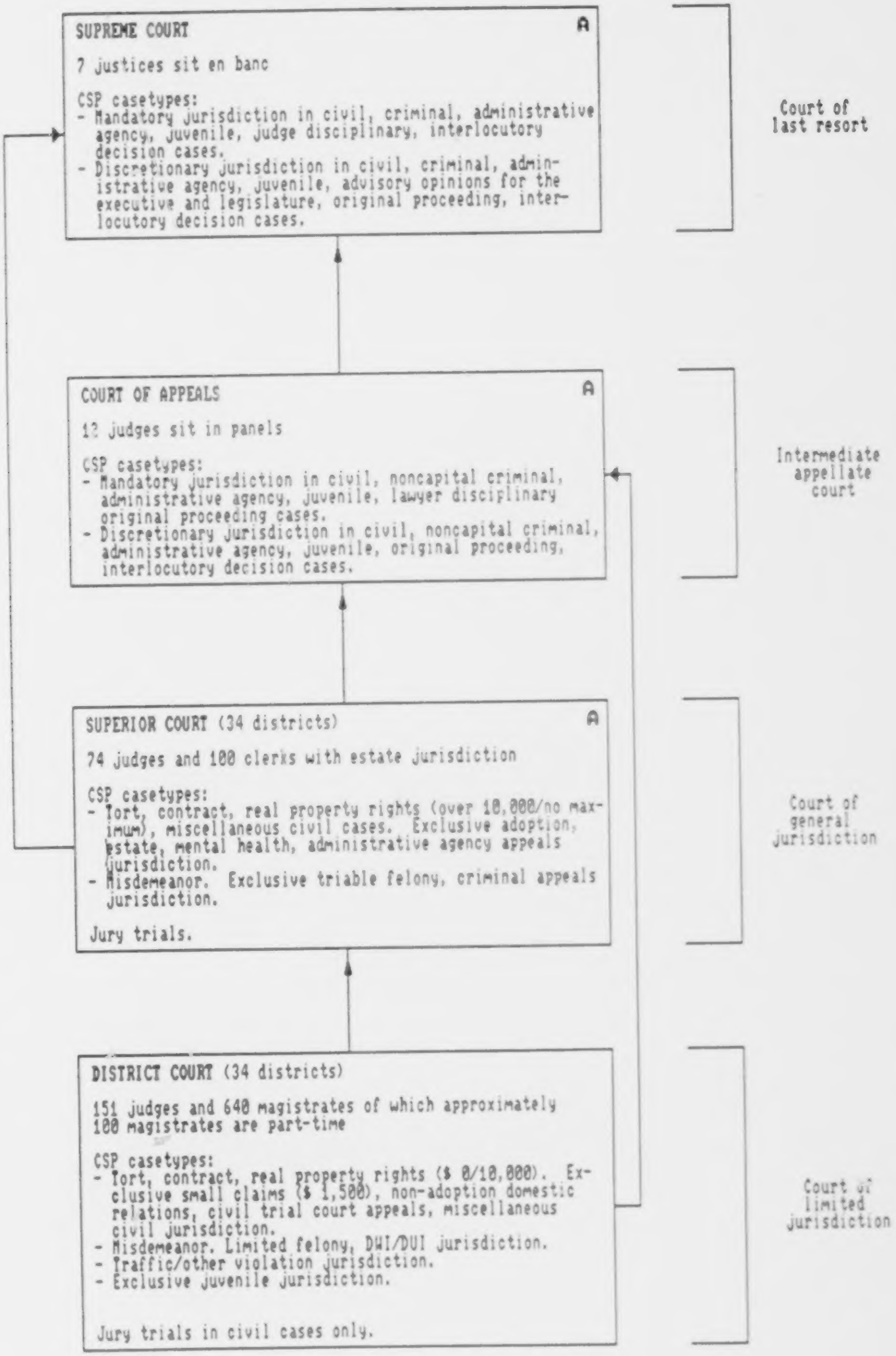
TOWN AND VILLAGE JUSTICE COURT
(2,327 courts)
1,985 justices

CSP casetypes:
- Tort, contract, real property rights ($ 0/3,000), small claims ($ 1,500).
- Misdemeanor, DWI/DUI, miscellaneous criminal.
- Traffic/other violation.

Jury trials in most cases.

* Includes Acting Supreme Court Justices assigned administratively.

NORTH CAROLINA COURT STRUCTURE, 1988



SUPREME COURT A

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, judge disciplinary, interlocutory decision cases.
- Discretionary jurisdiction in civil, criminal, administrative agency, juvenile, advisory opinions for the executive and legislature, original proceeding, interlocutory decision cases.

Court of last resort

COURT OF APPEALS A

12 judges sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, lawyer disciplinary original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

Intermediate appellate court

SUPERIOR COURT (34 districts) A

74 judges and 100 clerks with estate jurisdiction

CSP casetypes:
- Tort, contract, real property rights (over 10,000/no maximum), miscellaneous civil cases. Exclusive adoption, estate, mental health, administrative agency appeals jurisdiction.
- Misdemeanor. Exclusive triable felony, criminal appeals jurisdiction.

Jury trials.

Court of general jurisdiction

DISTRICT COURT (34 districts)

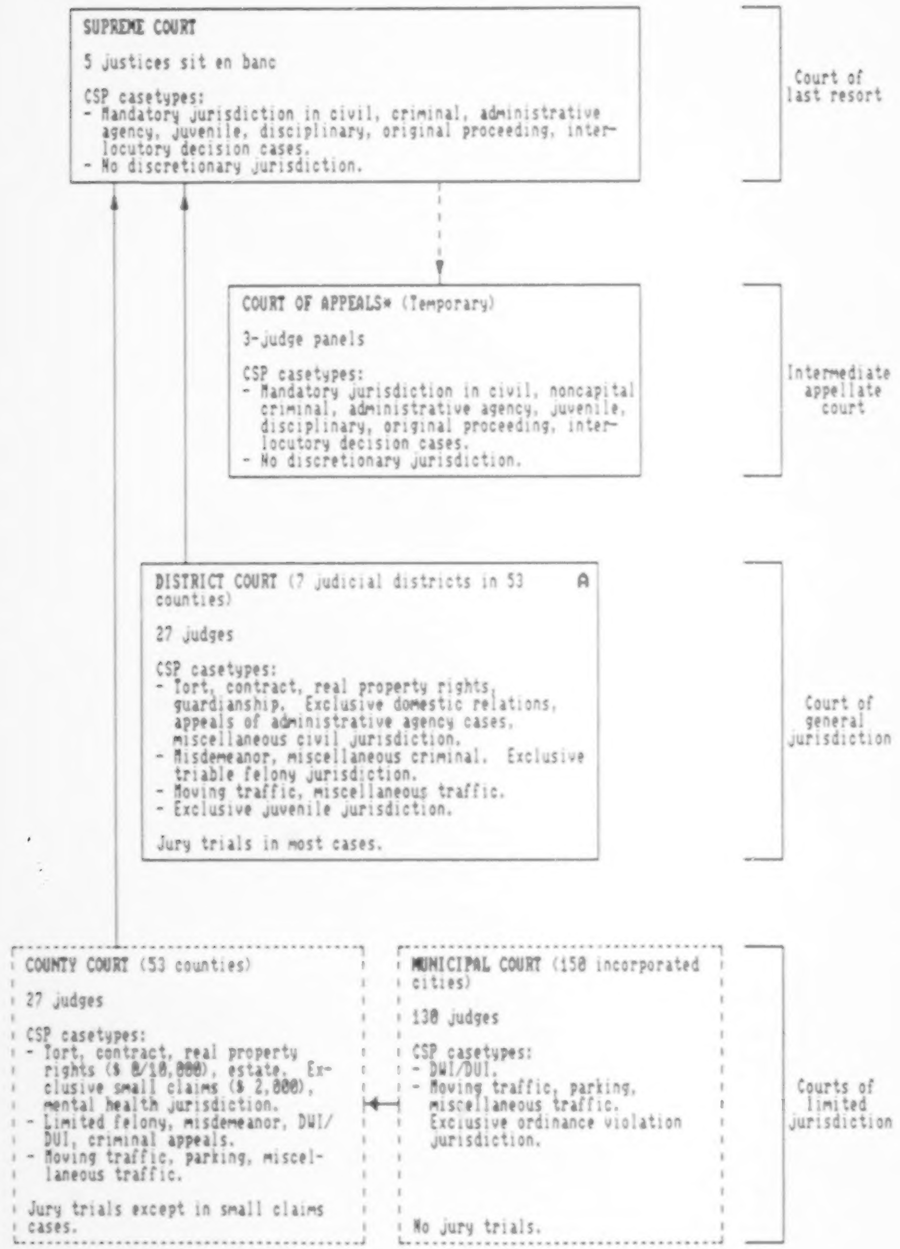
151 judges and 640 magistrates of which approximately 100 magistrates are part-time

CSP casetypes:
- Tort, contract, real property rights ($ 0/10,000). Exclusive small claims ($ 1,500), non-adoption domestic relations, civil trial court appeals, miscellaneous civil jurisdiction.
- Misdemeanor. Limited felony, DWI/DUI jurisdiction.
- Traffic/other violation jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials in civil cases only.

Court of limited jurisdiction

NORTH DAKOTA COURT STRUCTURE, 1988



SUPREME COURT

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, original proceeding, interlocutory decision cases.
- No discretionary jurisdiction.

Court of last resort

COURT OF APPEALS* (Temporary)

3-judge panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, disciplinary, original proceeding, interlocutory decision cases.
- No discretionary jurisdiction.

Intermediate appellate court

DISTRICT COURT (7 judicial districts in 53 counties) A

27 judges

CSP casetypes:
- Tort, contract, real property rights, guardianship. Exclusive domestic relations, appeals of administrative agency cases, miscellaneous civil jurisdiction.
- Misdemeanor, miscellaneous criminal. Exclusive triable felony jurisdiction.
- Moving traffic, miscellaneous traffic.
- Exclusive juvenile jurisdiction.

Jury trials in most cases.

Court of general jurisdiction

COUNTY COURT (53 counties)

27 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/10,000), estate. Exclusive small claims ($ 2,000), mental health jurisdiction.
- Limited felony, misdemeanor, DWI/DUI, criminal appeals.
- Moving traffic, parking, miscellaneous traffic.

Jury trials except in small claims cases.

MUNICIPAL COURT (150 incorporated cities)

130 judges

CSP casetypes:
- DWI/DUI.
- Moving traffic, parking, miscellaneous traffic. Exclusive ordinance violation jurisdiction.

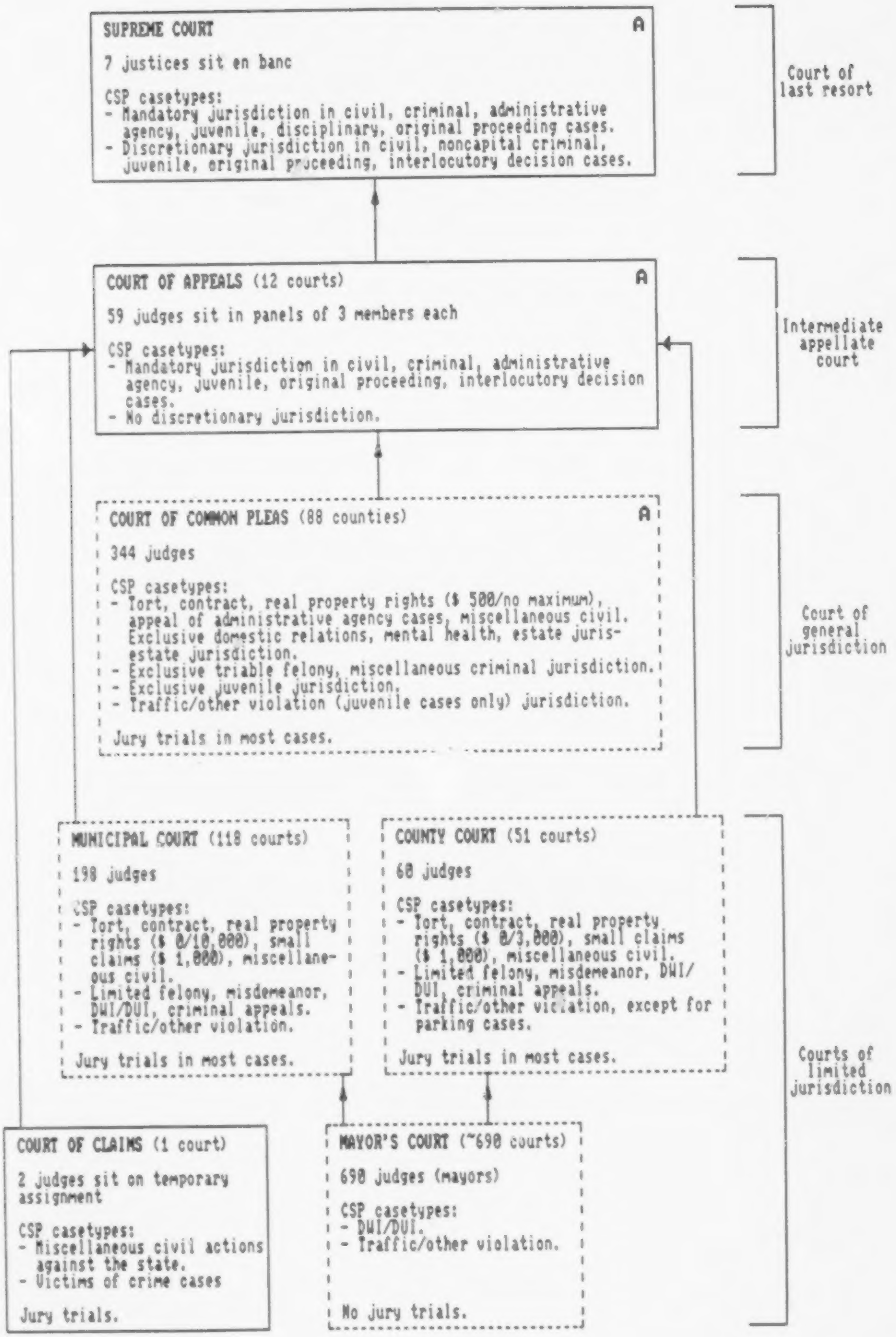
No jury trials.

Courts of limited jurisdiction

---- Indicates assignment of cases.

* Effective July 1, 1987 through January 1, 1990, a temporary Court of Appeals is established to exercise appellate and original jurisdiction as delegated by the Supreme Court.

OHIO COURT STRUCTURE, 1988



SUPREME COURT A

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, juvenile, original proceeding, interlocutory decision cases.

Court of last resort

COURT OF APPEALS (12 courts) A

59 judges sit in panels of 3 members each

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.
- No discretionary jurisdiction.

Intermediate appellate court

COURT OF COMMON PLEAS (88 counties) A

344 judges

CSP casetypes:
- Tort, contract, real property rights ($ 500/no maximum), appeal of administrative agency cases, miscellaneous civil. Exclusive domestic relations, mental health, estate jurisestate jurisdiction.
- Exclusive triable felony, miscellaneous criminal jurisdiction.
- Exclusive juvenile jurisdiction.
- Traffic/other violation (juvenile cases only) jurisdiction.

Jury trials in most cases.

Court of general jurisdiction

MUNICIPAL COURT (118 courts)

198 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/10,000), small claims ($ 1,000), miscellaneous civil.
- Limited felony, misdemeanor, DWI/DUI, criminal appeals.
- Traffic/other violation.

Jury trials in most cases.

COUNTY COURT (51 courts)

60 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/3,000), small claims ($ 1,000), miscellaneous civil.
- Limited felony, misdemeanor, DWI/DUI, criminal appeals.
- Traffic/other violation, except for parking cases.

Jury trials in most cases.

COURT OF CLAIMS (1 court)

2 judges sit on temporary assignment

CSP casetypes:
- Miscellaneous civil actions against the state.
- Victims of crime cases

Jury trials.

MAYOR'S COURT (~690 courts)

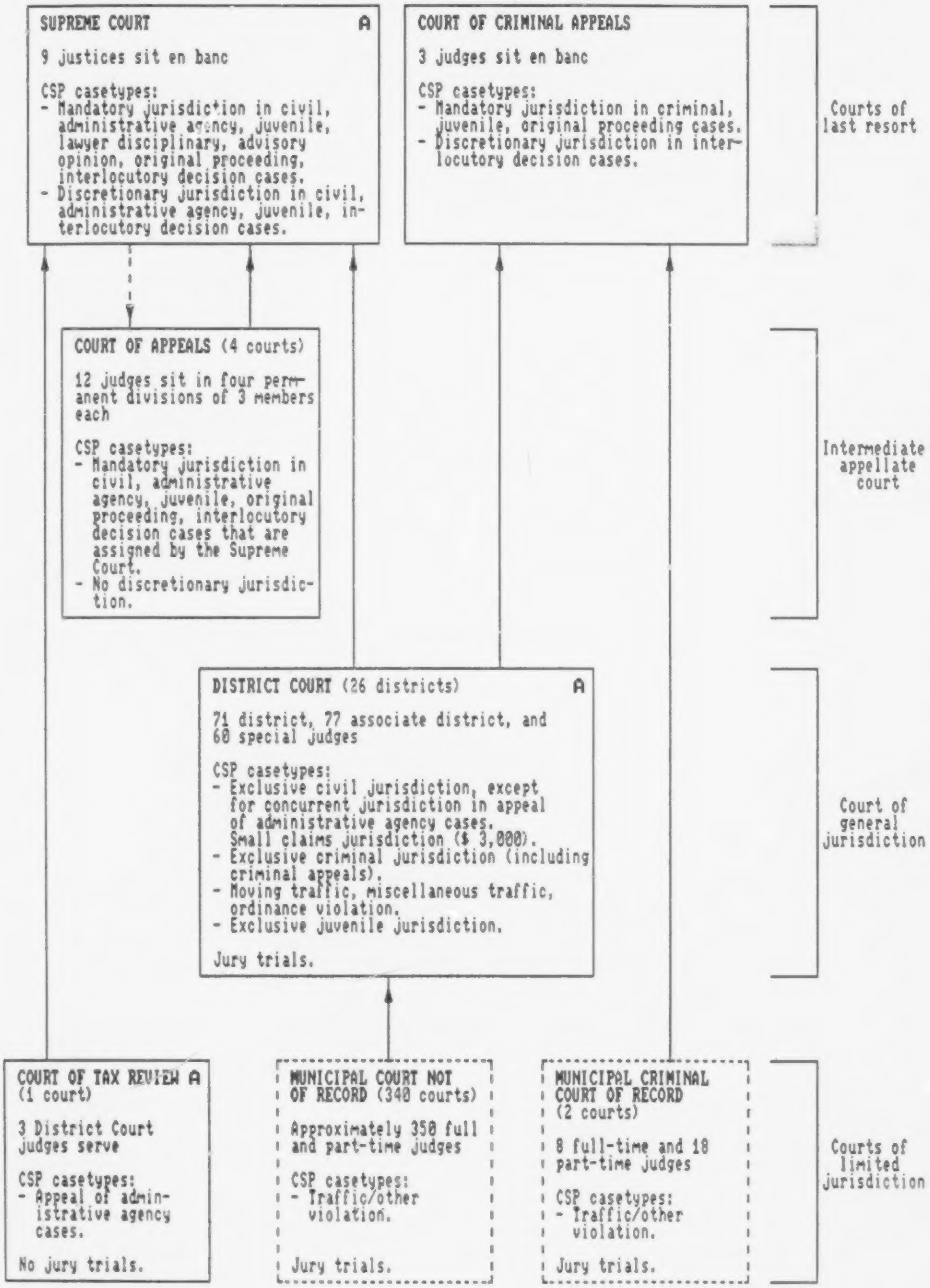
690 judges (mayors)

CSP casetypes:
- DWI/DUI.
- Traffic/other violation.

No jury trials.

Courts of limited jurisdiction

OKLAHOMA COURT STRUCTURE, 1988



SUPREME COURT A

9 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, administrative agency, juvenile, lawyer disciplinary, advisory opinion, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, administrative agency, juvenile, interlocutory decision cases.

COURT OF CRIMINAL APPEALS

3 judges sit en banc

CSP casetypes:
- Mandatory jurisdiction in criminal, juvenile, original proceeding cases.
- Discretionary jurisdiction in interlocutory decision cases.

Courts of last resort

COURT OF APPEALS (4 courts)

12 judges sit in four permanent divisions of 3 members each

CSP casetypes:
- Mandatory jurisdiction in civil, administrative agency, juvenile, original proceeding, interlocutory decision cases that are assigned by the Supreme Court.
- No discretionary jurisdiction.

Intermediate appellate court

DISTRICT COURT (26 districts) A

71 district, 77 associate district, and 60 special judges

CSP casetypes:
- Exclusive civil jurisdiction, except for concurrent jurisdiction in appeal of administrative agency cases. Small claims jurisdiction ($ 3,000).
- Exclusive criminal jurisdiction (including criminal appeals).
- Moving traffic, miscellaneous traffic, ordinance violation.
- Exclusive juvenile jurisdiction.

Jury trials.

Court of general jurisdiction

COURT OF TAX REVIEW A
(1 court)

3 District Court judges serve

CSP casetypes:
- Appeal of administrative agency cases.

No jury trials.

MUNICIPAL COURT NOT OF RECORD (340 courts)

Approximately 350 full and part-time judges

CSP casetypes:
- Traffic/other violation.

Jury trials.

MUNICIPAL CRIMINAL COURT OF RECORD
(2 courts)

8 full-time and 18 part-time judges

CSP casetypes:
- Traffic/other violation.

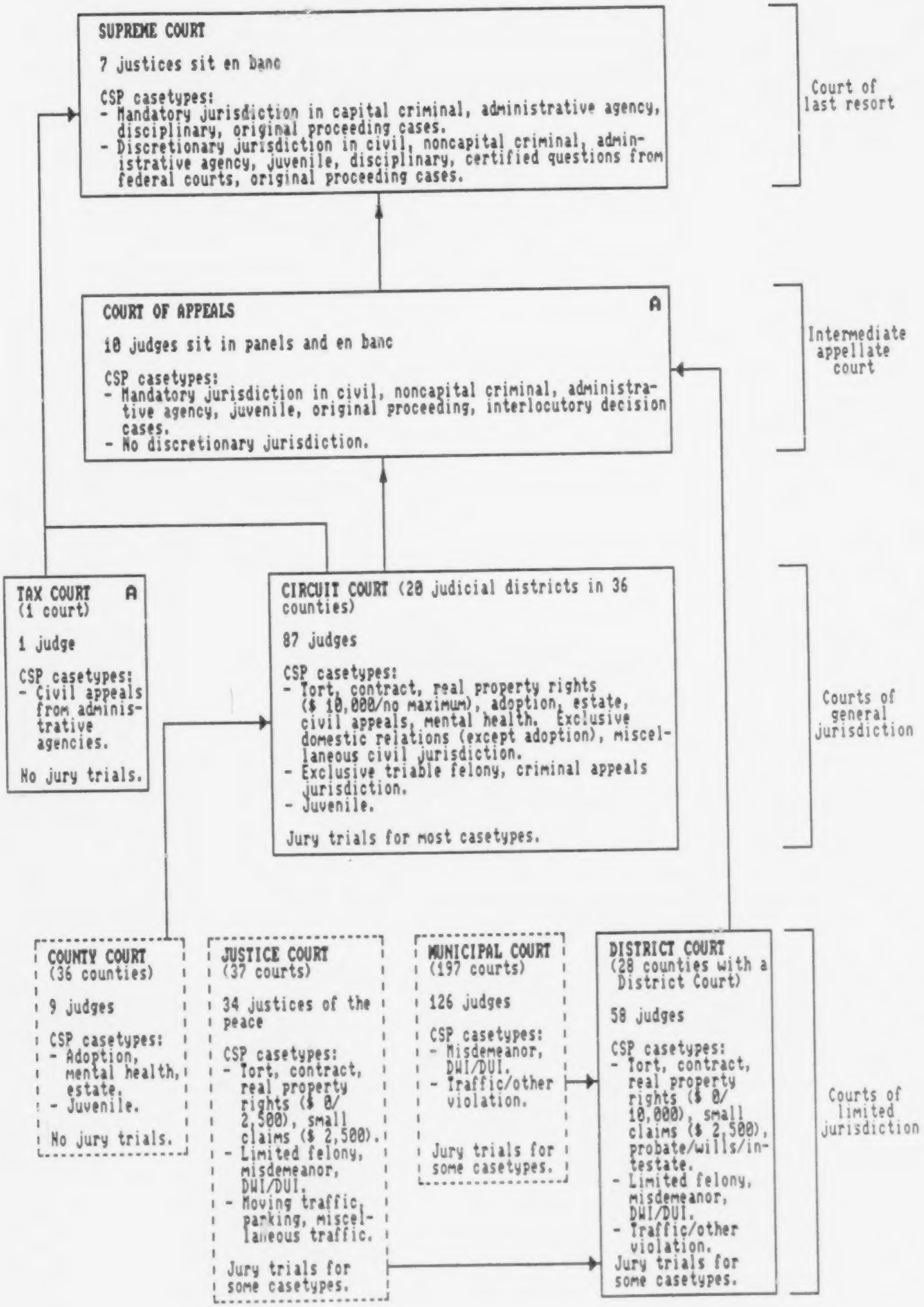
Jury trials.

Courts of limited jurisdiction

---- Indicates assignment of cases.

Oklahoma has a Workers' Compensation Court which hears complaints that are handled exclusively by administrative agencies in other states.

OREGON COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in capital criminal, administrative agency, disciplinary, original proceeding cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, disciplinary, certified questions from federal courts, original proceeding cases.

COURT OF APPEALS A

10 judges sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.
- No discretionary jurisdiction.

TAX COURT A
(1 court)

1 judge

CSP casetypes:
- Civil appeals from administrative agencies.

No jury trials.

CIRCUIT COURT (20 judicial districts in 36 counties)

87 judges

CSP casetypes:
- Tort, contract, real property rights ($ 10,000/no maximum), adoption, estate, civil appeals, mental health. Exclusive domestic relations (except adoption), miscellaneous civil jurisdiction.
- Exclusive triable felony, criminal appeals jurisdiction.
- Juvenile.

Jury trials for most casetypes.

COUNTY COURT
(36 counties)

9 judges

CSP casetypes:
- Adoption, mental health, estate.
- Juvenile.

No jury trials.

JUSTICE COURT
(37 courts)

34 justices of the peace

CSP casetypes:
- Tort, contract, real property rights ($ 0/2,500), small claims ($ 2,500).
- Limited felony, misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous traffic.

Jury trials for some casetypes.

MUNICIPAL COURT
(197 courts)

126 judges

CSP casetypes:
- Misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials for some casetypes.

DISTRICT COURT
(28 counties with a District Court)

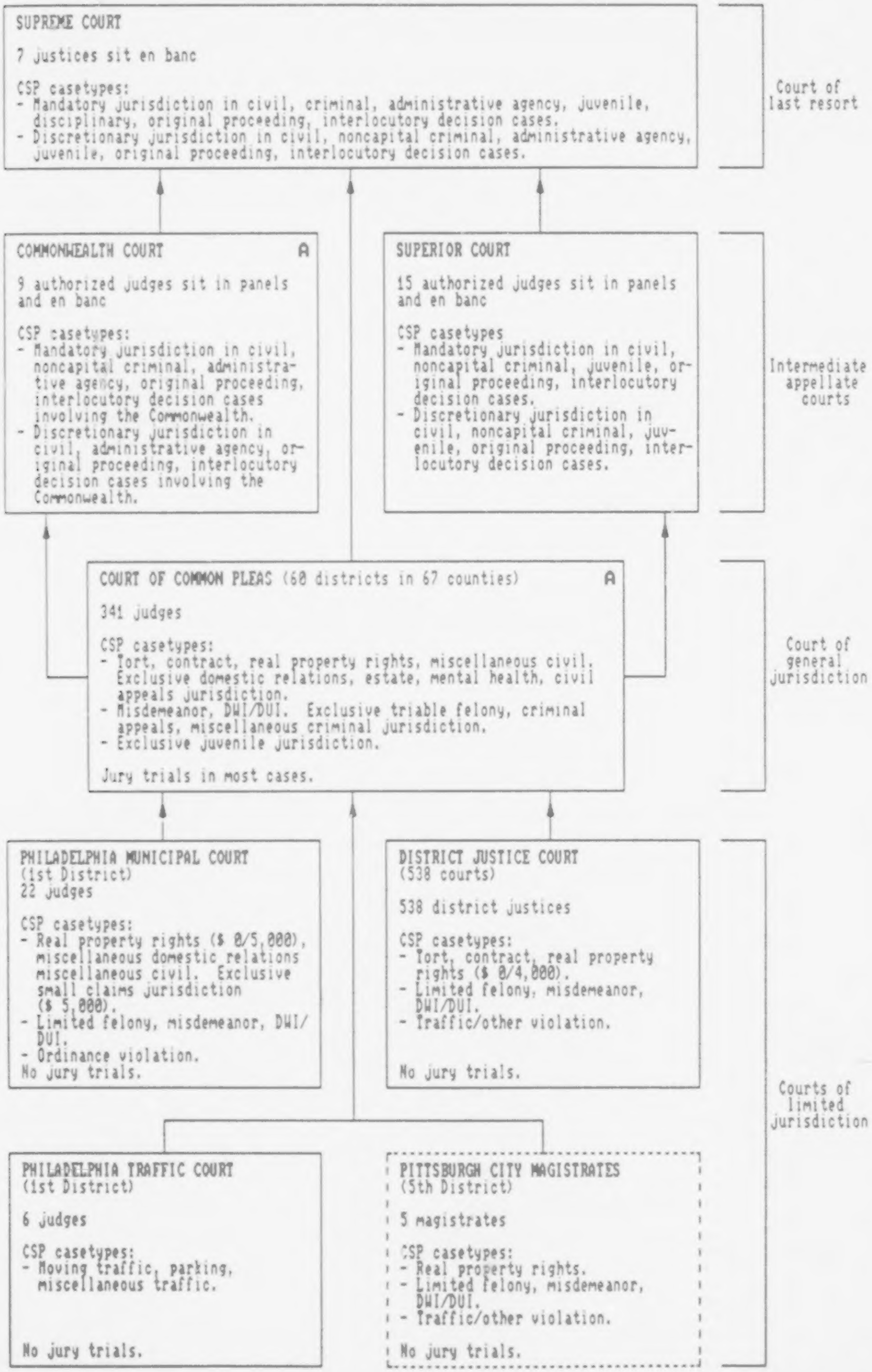
58 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/10,000), small claims ($ 2,500), probate/wills/intestate.
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials for some casetypes.

Court of last resort
Intermediate appellate court
Courts of general jurisdiction
Courts of limited jurisdiction

PENNSYLVANIA COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

Court of last resort

COMMONWEALTH COURT A

9 authorized judges sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, original proceeding, interlocutory decision cases involving the Commonwealth.
- Discretionary jurisdiction in civil, administrative agency, original proceeding, interlocutory decision cases involving the Commonwealth.

SUPERIOR COURT

15 authorized judges sit in panels and en banc

CSP casetypes
- Mandatory jurisdiction in civil, noncapital criminal, juvenile, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, juvenile, original proceeding, interlocutory decision cases.

Intermediate appellate courts

COURT OF COMMON PLEAS (60 districts in 67 counties) A

341 judges

CSP casetypes:
- Tort, contract, real property rights, miscellaneous civil. Exclusive domestic relations, estate, mental health, civil appeals jurisdiction.
- Misdemeanor, DWI/DUI. Exclusive triable felony, criminal appeals, miscellaneous criminal jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials in most cases.

Court of general jurisdiction

PHILADELPHIA MUNICIPAL COURT
(1st District)
22 judges

CSP casetypes:
- Real property rights ($ 0/5,000), miscellaneous domestic relations miscellaneous civil. Exclusive small claims jurisdiction ($ 5,000).
- Limited felony, misdemeanor, DWI/DUI.
- Ordinance violation.

No jury trials.

DISTRICT JUSTICE COURT
(538 courts)

538 district justices

CSP casetypes:
- Tort, contract, real property rights ($ 0/4,000).
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.

No jury trials.

PHILADELPHIA TRAFFIC COURT
(1st District)

6 judges

CSP casetypes:
- Moving traffic, parking, miscellaneous traffic.

No jury trials.

PITTSBURGH CITY MAGISTRATES
(5th District)

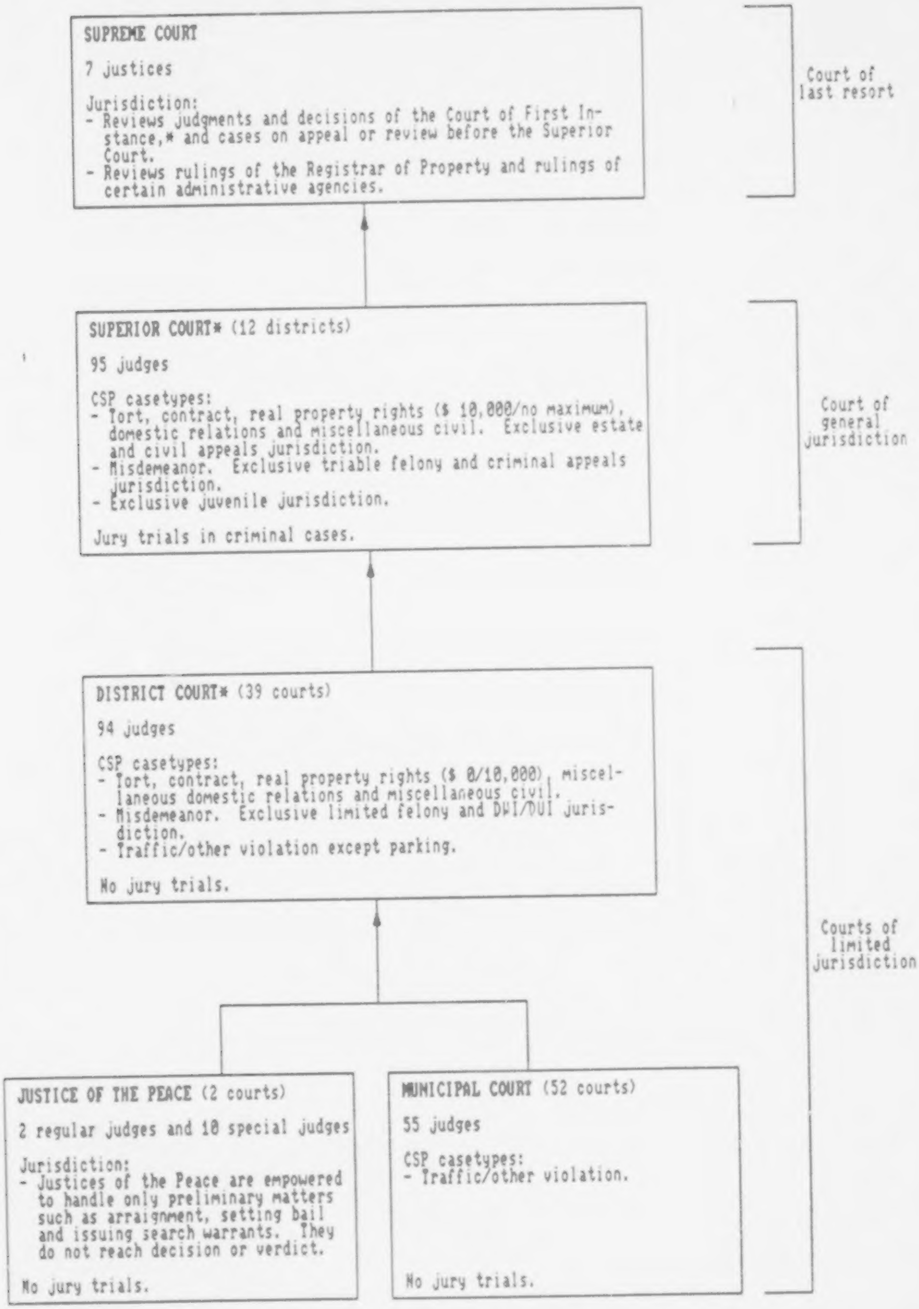
5 magistrates

CSP casetypes:
- Real property rights.
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.

No jury trials.

Courts of limited jurisdiction

PUERTO RICO COURT STRUCTURE, 1988



SUPREME COURT

7 justices

Jurisdiction:
- Reviews judgments and decisions of the Court of First Instance,* and cases on appeal or review before the Superior Court.
- Reviews rulings of the Registrar of Property and rulings of certain administrative agencies.

SUPERIOR COURT* (12 districts)

95 judges

CSP casetypes:
- Tort, contract, real property rights ($ 10,000/no maximum), domestic relations and miscellaneous civil. Exclusive estate and civil appeals jurisdiction.
- Misdemeanor. Exclusive triable felony and criminal appeals jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials in criminal cases.

DISTRICT COURT* (39 courts)

94 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/10,000), miscellaneous domestic relations and miscellaneous civil.
- Misdemeanor. Exclusive limited felony and DWI/DUI jurisdiction.
- Traffic/other violation except parking.

No jury trials.

JUSTICE OF THE PEACE (2 courts)

2 regular judges and 10 special judges

Jurisdiction:
- Justices of the Peace are empowered to handle only preliminary matters such as arraignment, setting bail and issuing search warrants. They do not reach decision or verdict.

No jury trials.

MUNICIPAL COURT (52 courts)

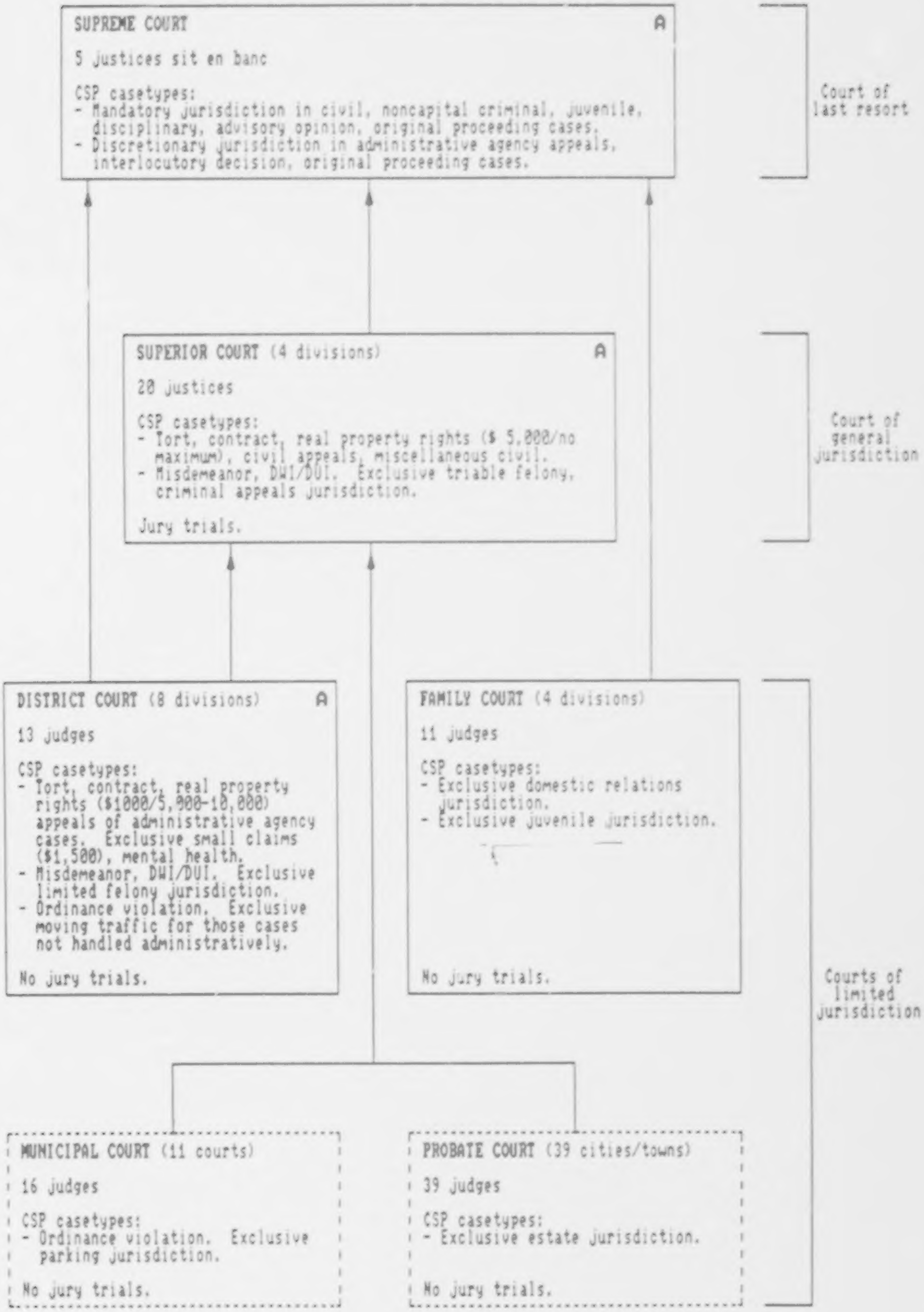
55 judges

CSP casetypes:
- Traffic/other violation.

No jury trials.

* The Court of First Instance consists of two divisions: the Superior Court and the District Court.

RHODE ISLAND COURT STRUCTURE, 1988



SUPREME COURT A

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, juvenile, disciplinary, advisory opinion, original proceeding cases.
- Discretionary jurisdiction in administrative agency appeals, interlocutory decision, original proceeding cases.

Court of last resort

SUPERIOR COURT (4 divisions) A

20 justices

CSP casetypes:
- Tort, contract, real property rights ($ 5,000/no maximum), civil appeals, miscellaneous civil.
- Misdemeanor, DWI/DUI. Exclusive triable felony, criminal appeals jurisdiction.

Jury trials.

Court of general jurisdiction

DISTRICT COURT (8 divisions) A

13 judges

CSP casetypes:
- Tort, contract, real property rights ($1000/5,000-10,000) appeals of administrative agency cases. Exclusive small claims ($1,500), mental health.
- Misdemeanor, DWI/DUI. Exclusive limited felony jurisdiction.
- Ordinance violation. Exclusive moving traffic for those cases not handled administratively.

No jury trials.

FAMILY COURT (4 divisions)

11 judges

CSP casetypes:
- Exclusive domestic relations jurisdiction.
- Exclusive juvenile jurisdiction.

No jury trials.

MUNICIPAL COURT (11 courts)

16 judges

CSP casetypes:
- Ordinance violation. Exclusive parking jurisdiction.

No jury trials.

PROBATE COURT (39 cities/towns)

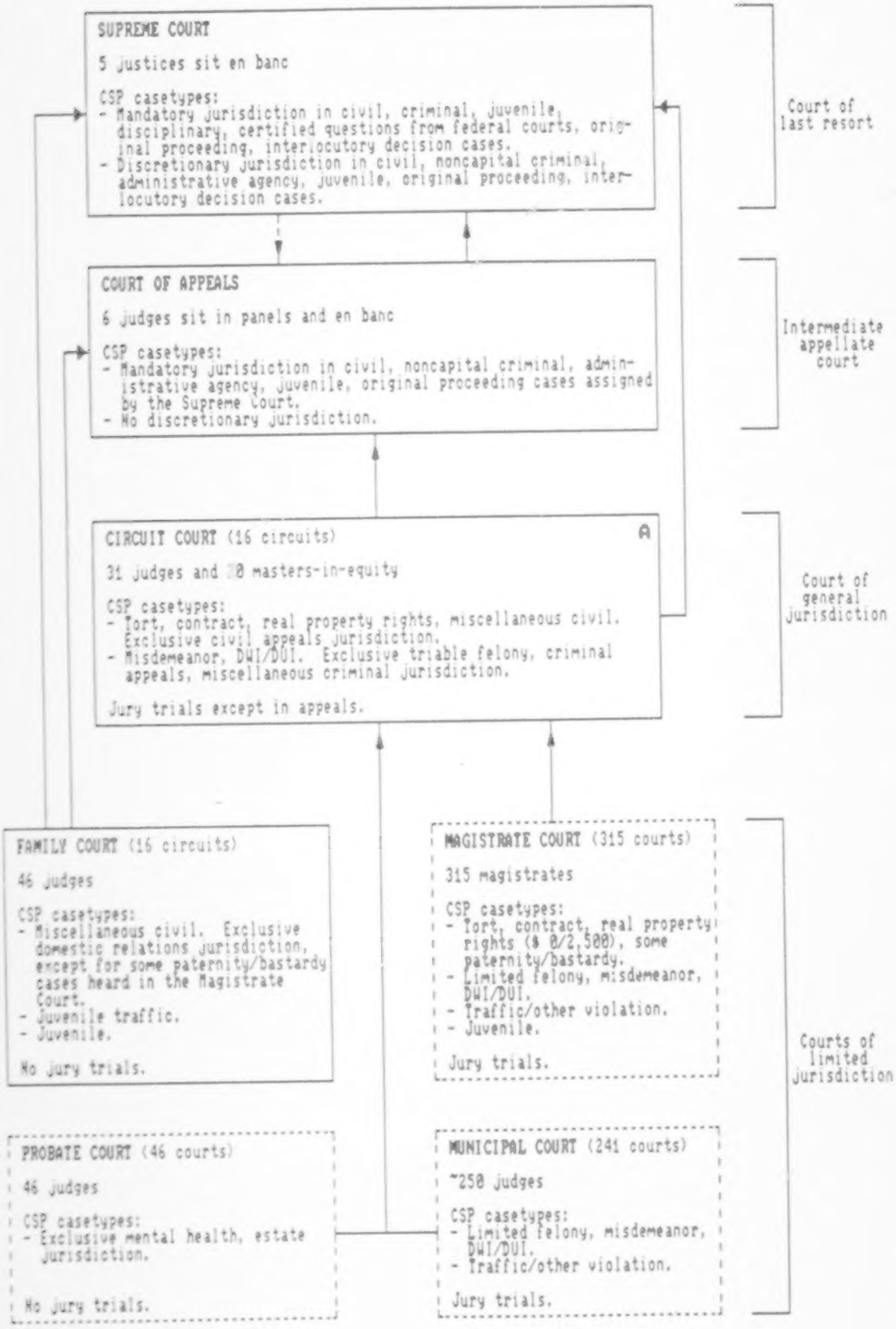
39 judges

CSP casetypes:
- Exclusive estate jurisdiction.

No jury trials.

Courts of limited jurisdiction

SOUTH CAROLINA COURT STRUCTURE, 1988


Court of last resort
Intermediate appellate court
Court of general jurisdiction
Courts of limited jurisdiction
A

SUPREME COURT

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, juvenile, disciplinary, certified questions from federal courts, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.

COURT OF APPEALS

6 judges sit in panels and en banc

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding cases assigned by the Supreme Court.
- No discretionary jurisdiction.

CIRCUIT COURT (16 circuits)

31 judges and 20 masters-in-equity

CSP casetypes:
- Tort, contract, real property rights, miscellaneous civil. Exclusive civil appeals jurisdiction.
- Misdemeanor, DWI/DUI. Exclusive triable felony, criminal appeals, miscellaneous criminal jurisdiction.

Jury trials except in appeals.

FAMILY COURT (16 circuits)

46 judges

CSP casetypes:
- Miscellaneous civil. Exclusive domestic relations jurisdiction, except for some paternity/bastardy cases heard in the Magistrate Court.
- Juvenile traffic.
- Juvenile.

No jury trials.

MAGISTRATE COURT (315 courts)

315 magistrates

CSP casetypes:
- Tort, contract, real property rights ($ 0/2,500), some paternity/bastardy.
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.
- Juvenile.

Jury trials.

PROBATE COURT (46 courts)

46 judges

CSP casetypes:
- Exclusive mental health, estate jurisdiction.

No jury trials.

MUNICIPAL COURT (241 courts)

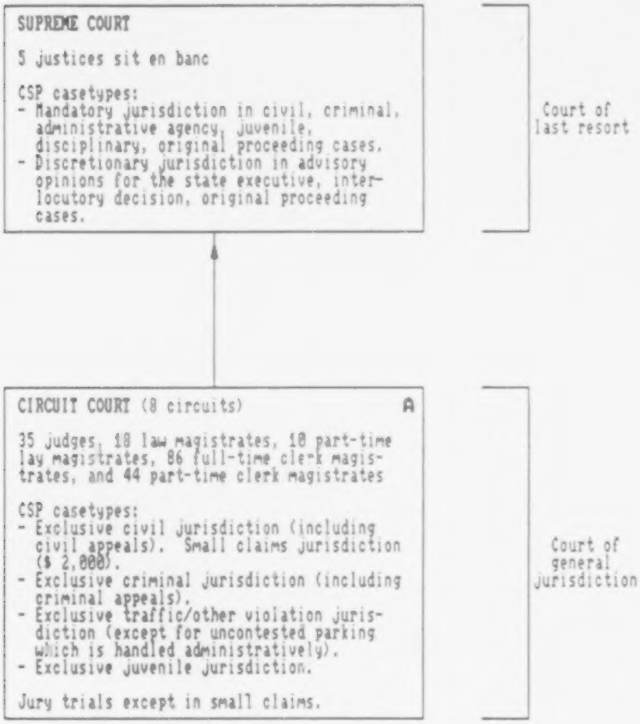
~250 judges

CSP casetypes:
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials.

---- Indicates assignment of cases.

SOUTH DAKOTA COURT STRUCTURE, 1988



SUPREME COURT

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, original proceeding cases.
- Discretionary jurisdiction in advisory opinions for the state executive, interlocutory decision, original proceeding cases.

Court of last resort

CIRCUIT COURT (8 circuits) A

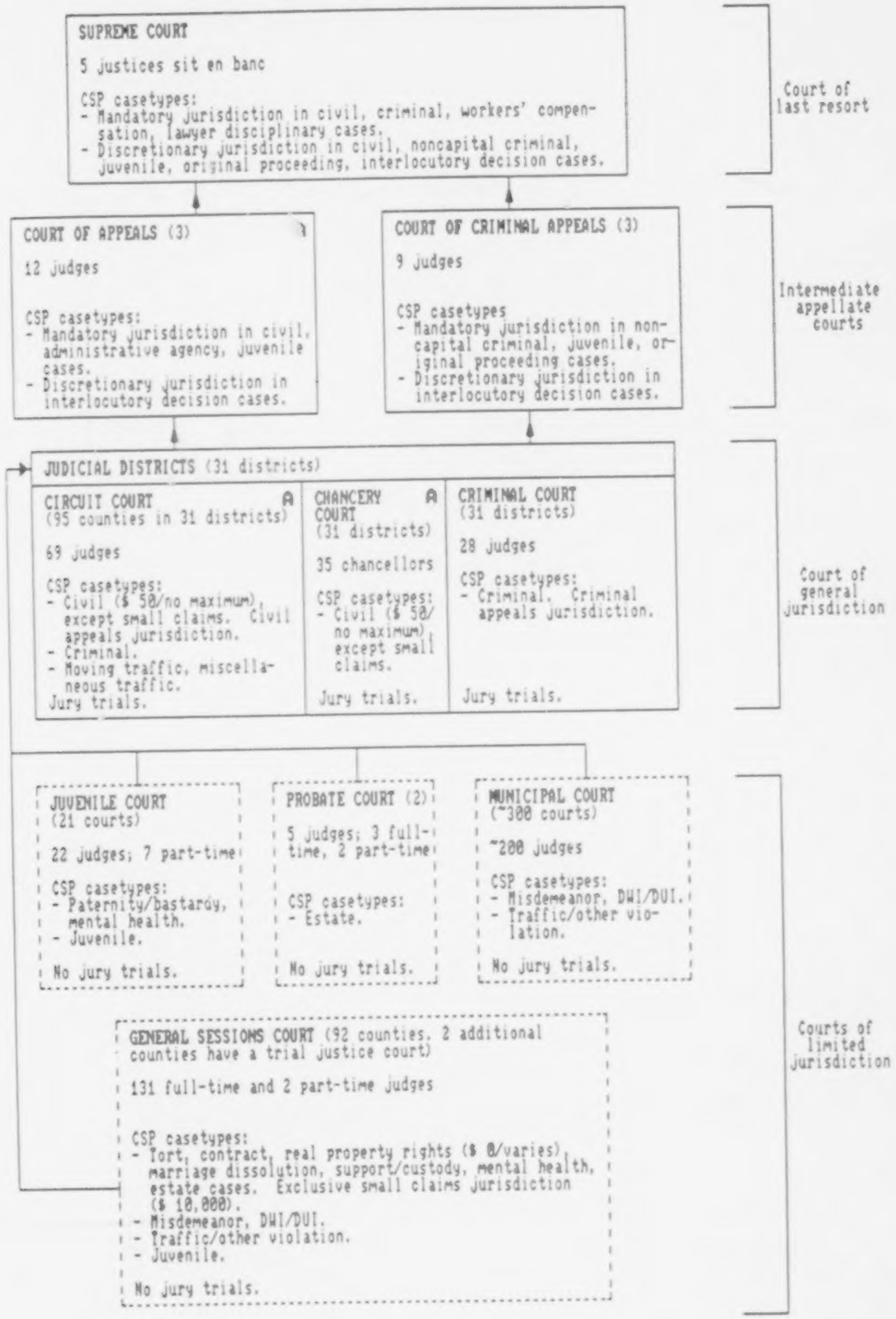
35 judges, 10 law magistrates, 10 part-time lay magistrates, 86 full-time clerk magistrates, and 44 part-time clerk magistrates

CSP casetypes:
- Exclusive civil jurisdiction (including civil appeals). Small claims jurisdiction ($ 2,000).
- Exclusive criminal jurisdiction (including criminal appeals).
- Exclusive traffic/other violation jurisdiction (except for uncontested parking which is handled administratively).
- Exclusive juvenile jurisdiction.

Jury trials except in small claims.

Court of general jurisdiction

TENNESSEE COURT STRUCTURE, 1988


Court of last resort
Intermediate appellate courts
Court of general jurisdiction
Courts of limited jurisdiction

SUPREME COURT

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, workers' compensation, lawyer disciplinary cases.
- Discretionary jurisdiction in civil, noncapital criminal, juvenile, original proceeding, interlocutory decision cases.

COURT OF APPEALS (3)

12 judges

CSP casetypes:
- Mandatory jurisdiction in civil, administrative agency, juvenile cases.
- Discretionary jurisdiction in interlocutory decision cases.

COURT OF CRIMINAL APPEALS (3)

9 judges

CSP casetypes
- Mandatory jurisdiction in noncapital criminal, juvenile, original proceeding cases.
- Discretionary jurisdiction in interlocutory decision cases.

JUDICIAL DISTRICTS (31 districts)

CIRCUIT COURT A
(95 counties in 31 districts)

69 judges

CSP casetypes:
- Civil ($ 50/no maximum), except small claims. Civil appeals jurisdiction.
- Criminal.
- Moving traffic, miscellaneous traffic.

Jury trials.

CHANCERY COURT A
(31 districts)

35 chancellors

CSP casetypes:
- Civil ($ 50/no maximum), except small claims.

Jury trials.

CRIMINAL COURT
(31 districts)

28 judges

CSP casetypes:
- Criminal. Criminal appeals jurisdiction.

Jury trials.

JUVENILE COURT
(21 courts)

22 judges; 7 part-time

CSP casetypes:
- Paternity/bastardy, mental health.
- Juvenile.

No jury trials.

PROBATE COURT (2)

5 judges; 3 full-time, 2 part-time

CSP casetypes:
- Estate.

No jury trials.

MUNICIPAL COURT
(~300 courts)

~200 judges

CSP casetypes:
- Misdemeanor, DWI/DUI.
- Traffic/other violation.

No jury trials.

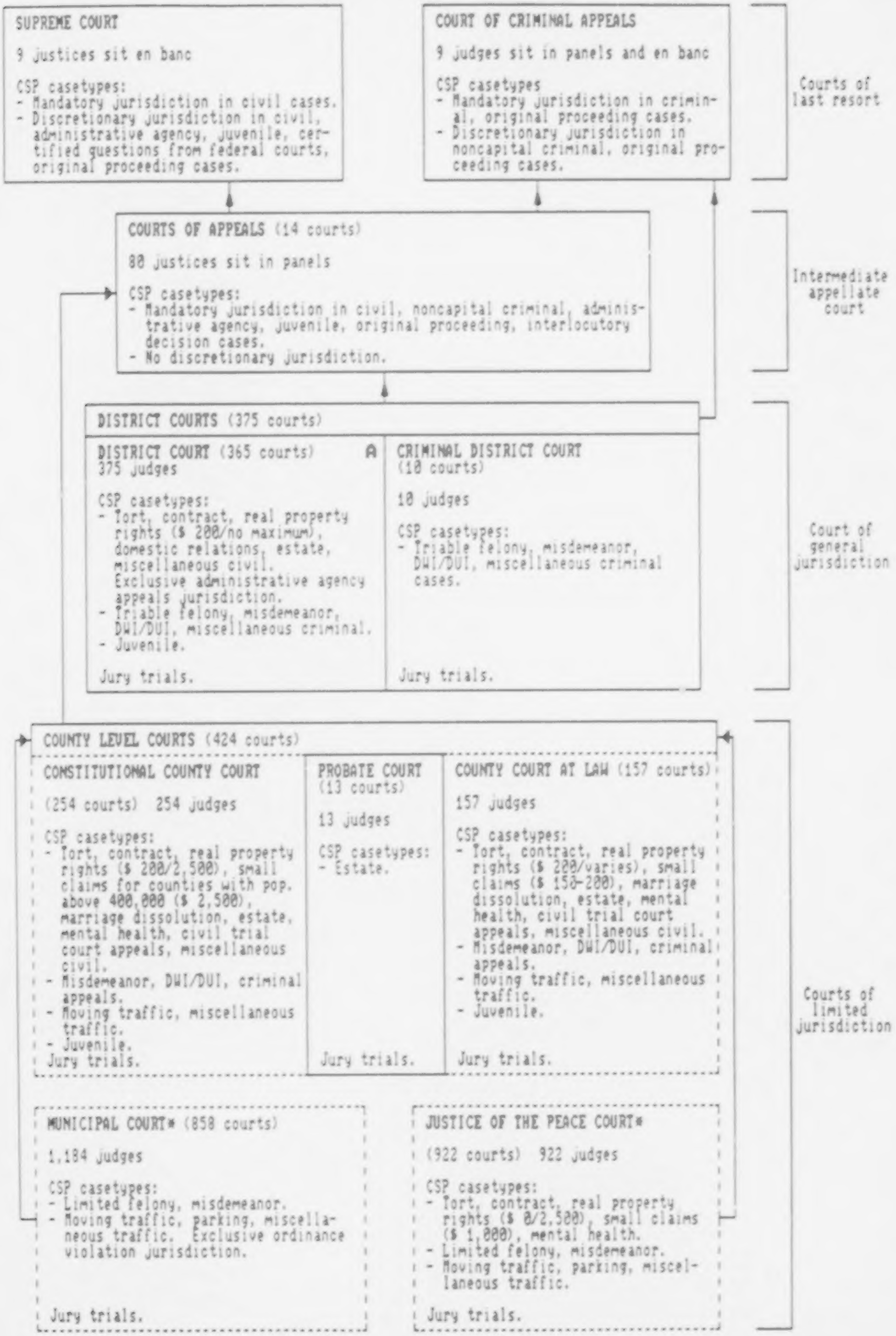
GENERAL SESSIONS COURT (92 counties, 2 additional counties have a trial justice court)

131 full-time and 2 part-time judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/varies), marriage dissolution, support/custody, mental health, estate cases. Exclusive small claims jurisdiction ($ 10,000).
- Misdemeanor, DWI/DUI.
- Traffic/other violation.
- Juvenile.

No jury trials.

TEXAS COURT STRUCTURE, 1988



SUPREME COURT

9 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil cases.
- Discretionary jurisdiction in civil, administrative agency, juvenile, certified questions from federal courts, original proceeding cases.

COURT OF CRIMINAL APPEALS

9 judges sit in panels and en banc

CSP casetypes
- Mandatory jurisdiction in criminal, original proceeding cases.
- Discretionary jurisdiction in noncapital criminal, original proceeding cases.

Courts of last resort

COURTS OF APPEALS (14 courts)

80 justices sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.
- No discretionary jurisdiction.

Intermediate appellate court

DISTRICT COURTS (375 courts)

DISTRICT COURT (365 courts) A
375 judges

CSP casetypes:
- Tort, contract, real property rights ($ 200/no maximum), domestic relations, estate, miscellaneous civil. Exclusive administrative agency appeals jurisdiction.
- Triable felony, misdemeanor, DWI/DUI, miscellaneous criminal.
- Juvenile.

Jury trials.

CRIMINAL DISTRICT COURT
(10 courts)

10 judges

CSP casetypes:
- Triable felony, misdemeanor, DWI/DUI, miscellaneous criminal cases.

Jury trials.

Court of general jurisdiction

COUNTY LEVEL COURTS (424 courts)

CONSTITUTIONAL COUNTY COURT

(254 courts) 254 judges

CSP casetypes:
- Tort, contract, real property rights ($ 200/2,500), small claims for counties with pop. above 400,000 ($ 2,500), marriage dissolution, estate, mental health, civil trial court appeals, miscellaneous civil.
- Misdemeanor, DWI/DUI, criminal appeals.
- Moving traffic, miscellaneous traffic.
- Juvenile.

Jury trials.

PROBATE COURT
(13 courts)

13 judges

CSP casetypes:
- Estate.

Jury trials.

COUNTY COURT AT LAW (157 courts)

157 judges

CSP casetypes:
- Tort, contract, real property rights ($ 200/varies), small claims ($ 150-200), marriage dissolution, estate, mental health, civil trial court appeals, miscellaneous civil.
- Misdemeanor, DWI/DUI, criminal appeals.
- Moving traffic, miscellaneous traffic.
- Juvenile.

Jury trials.

MUNICIPAL COURT* (858 courts)

1,184 judges

CSP casetypes:
- Limited felony, misdemeanor.
- Moving traffic, parking, miscellaneous traffic. Exclusive ordinance violation jurisdiction.

Jury trials.

JUSTICE OF THE PEACE COURT*

(922 courts) 922 judges

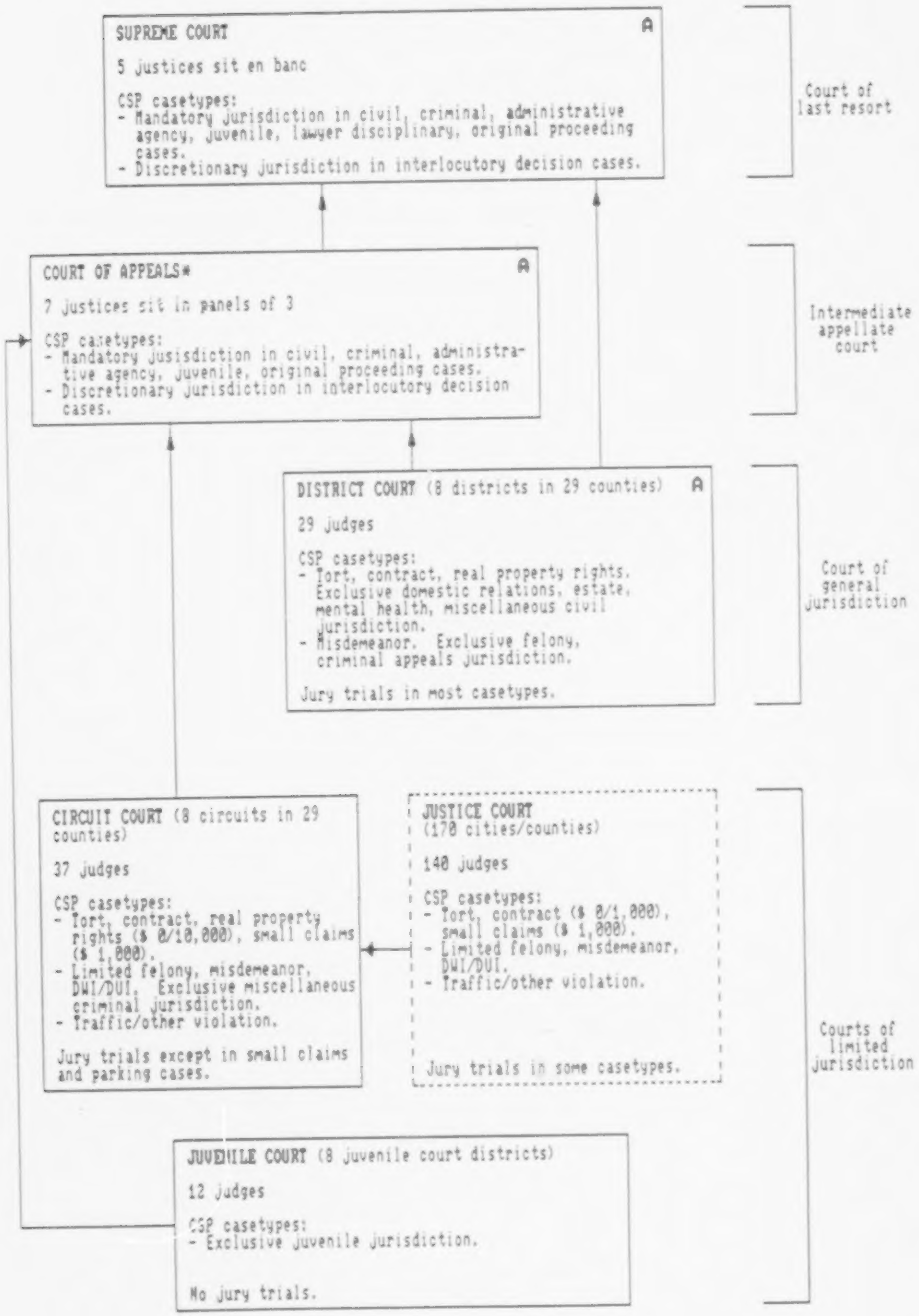
CSP casetypes:
- Tort, contract, real property rights ($ 0/2,500), small claims ($ 1,000), mental health.
- Limited felony, misdemeanor.
- Moving traffic, parking, miscellaneous traffic.

Jury trials.

Courts of limited jurisdiction

* Some Municipal and Justice of the Peace Courts may appeal to the District Court.

UTAH COURT STRUCTURE, 1988



SUPREME COURT A

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, lawyer disciplinary, original proceeding cases.
- Discretionary jurisdiction in interlocutory decision cases.

Court of last resort

COURT OF APPEALS* A

7 justices sit in panels of 3

CSP casetypes:
- Mandatory jusisdiction in civil, criminal, administrative agency, juvenile, original proceeding cases.
- Discretionary jurisdiction in interlocutory decision cases.

Intermediate appellate court

DISTRICT COURT (8 districts in 29 counties) A

29 judges

CSP casetypes:
- Tort, contract, real property rights. Exclusive domestic relations, estate, mental health, miscellaneous civil jurisdiction.
- Misdemeanor. Exclusive felony, criminal appeals jurisdiction.

Jury trials in most casetypes.

Court of general jurisdiction

CIRCUIT COURT (8 circuits in 29 counties)

37 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/10,000), small claims ($ 1,000).
- Limited felony, misdemeanor, DWI/DUI. Exclusive miscellaneous criminal jurisdiction.
- Traffic/other violation.

Jury trials except in small claims and parking cases.

JUSTICE COURT
(170 cities/counties)

140 judges

CSP casetypes:
- Tort, contract ($ 0/1,000), small claims ($ 1,000).
- Limited felony, misdemeanor, DWI/DUI.
- Traffic/other violation.

Jury trials in some casetypes.

JUVENILE COURT (8 juvenile court districts)

12 judges

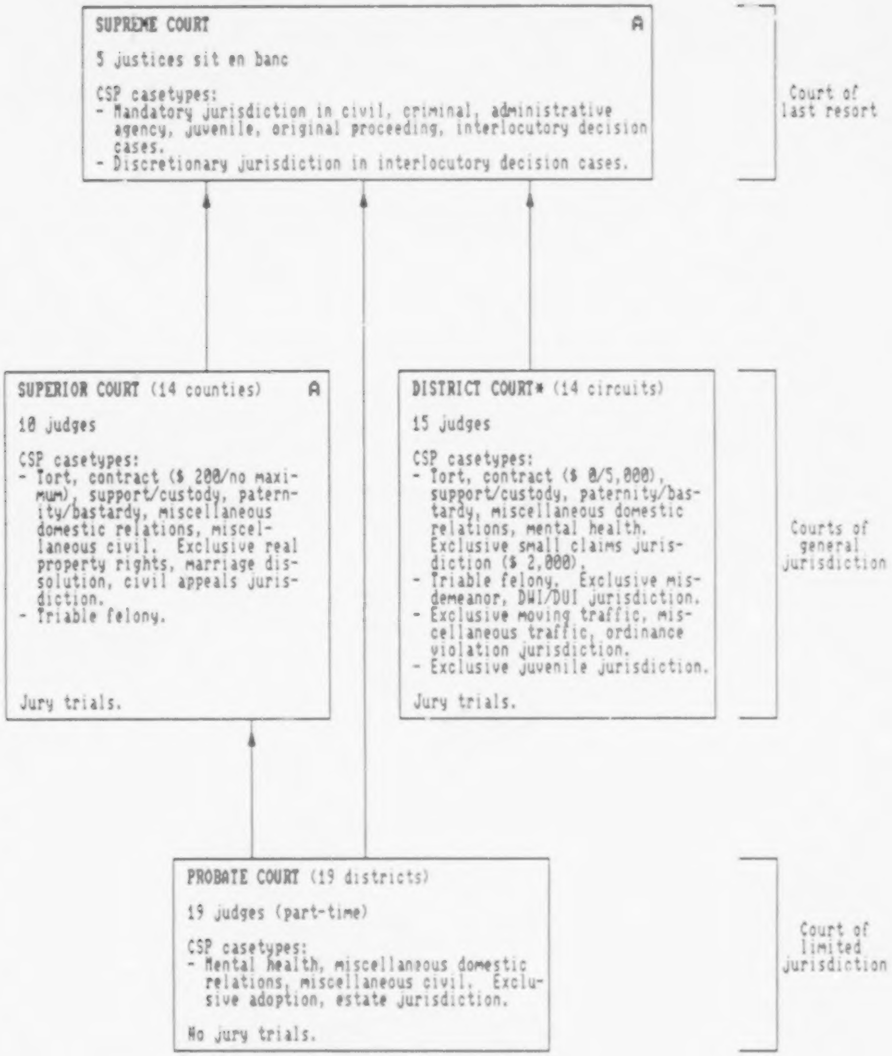
CSP casetypes:
- Exclusive juvenile jurisdiction.

No jury trials.

Courts of limited jurisdiction

* The Court of Appeals became operational on February 1, 1987.

VERMONT COURT STRUCTURE, 1988



SUPREME COURT A

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, original proceeding, interlocutory decision cases.
- Discretionary jurisdiction in interlocutory decision cases.

Court of last resort

SUPERIOR COURT (14 counties) A

10 judges

CSP casetypes:
- Tort, contract ($ 200/no maximum), support/custody, paternity/bastardy, miscellaneous domestic relations, miscellaneous civil. Exclusive real property rights, marriage dissolution, civil appeals jurisdiction.
- Triable felony.

Jury trials.

DISTRICT COURT* (14 circuits)

15 judges

CSP casetypes:
- Tort, contract ($ 0/5,000), support/custody, paternity/bastardy, miscellaneous domestic relations, mental health. Exclusive small claims jurisdiction ($ 2,000).
- Triable felony. Exclusive misdemeanor, DWI/DUI jurisdiction.
- Exclusive moving traffic, miscellaneous traffic, ordinance violation jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials.

Courts of general jurisdiction

PROBATE COURT (19 districts)

19 judges (part-time)

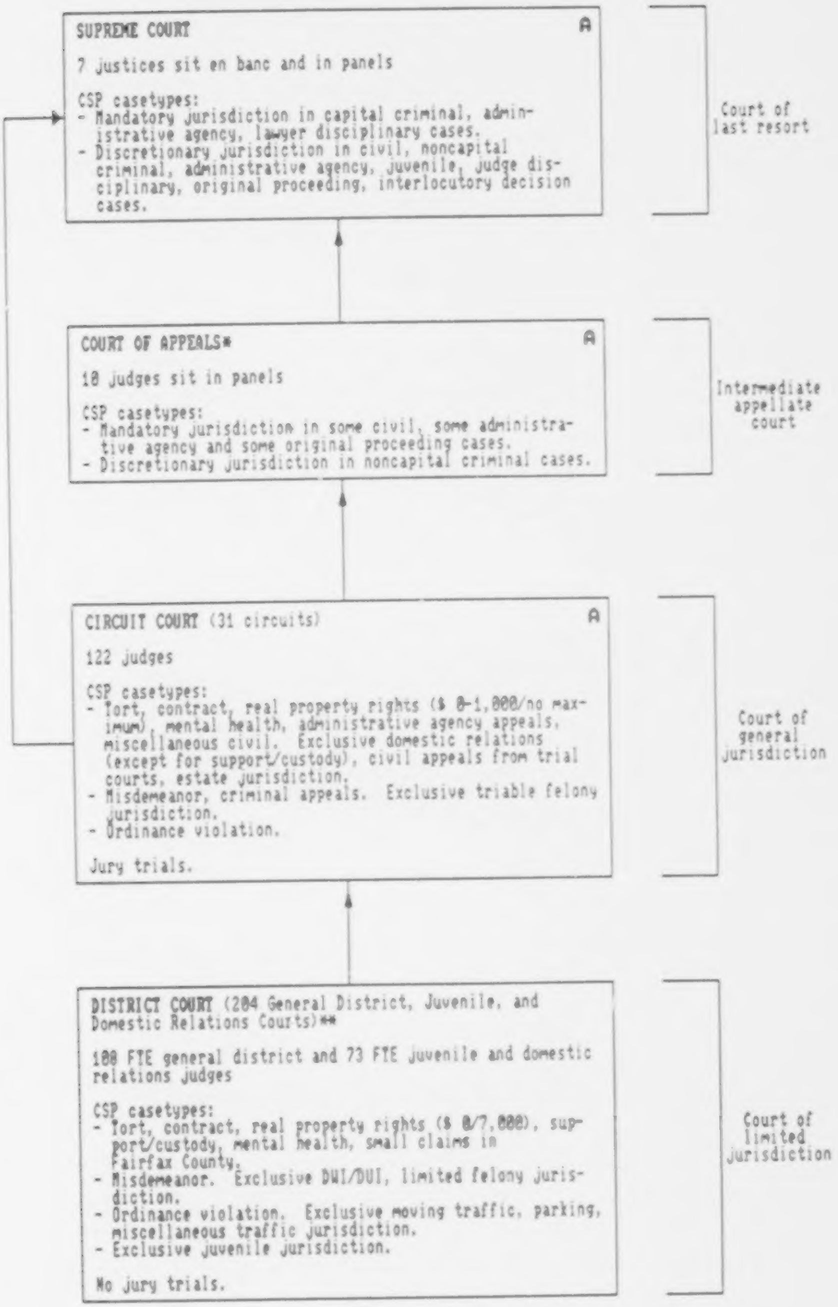
CSP casetypes:
- Mental health, miscellaneous domestic relations, miscellaneous civil. Exclusive adoption, estate jurisdiction.

No jury trials.

Court of limited jurisdiction

* The District Court, although created as a court of limited jurisdiction, has steadily increased its scope to include almost all criminal matters. In 1983, the District Court was granted jurisdiction over all criminal cases, and has become the court of general jurisdiction for most criminal matters. A small number of appeals go to the Superior Court.

VIRGINIA COURT STRUCTURE, 1988



SUPREME COURT A

7 justices sit en banc and in panels

CSP casetypes:
- Mandatory jurisdiction in capital criminal, administrative agency, lawyer disciplinary cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, judge disciplinary, original proceeding, interlocutory decision cases.

Court of last resort

COURT OF APPEALS* A

10 judges sit in panels

CSP casetypes:
- Mandatory jurisdiction in some civil, some administrative agency and some original proceeding cases.
- Discretionary jurisdiction in noncapital criminal cases.

Intermediate appellate court

CIRCUIT COURT (31 circuits) A

122 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0-1,000/no maximum), mental health, administrative agency appeals, miscellaneous civil. Exclusive domestic relations (except for support/custody), civil appeals from trial courts, estate jurisdiction.
- Misdemeanor, criminal appeals. Exclusive triable felony jurisdiction.
- Ordinance violation.

Jury trials.

Court of general jurisdiction

DISTRICT COURT (204 General District, Juvenile, and Domestic Relations Courts)**

100 FTE general district and 73 FTE juvenile and domestic relations judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/7,000), support/custody, mental health, small claims in Fairfax County.
- Misdemeanor. Exclusive DWI/DUI, limited felony jurisdiction.
- Ordinance violation. Exclusive moving traffic, parking, miscellaneous traffic jurisdiction.
- Exclusive juvenile jurisdiction.

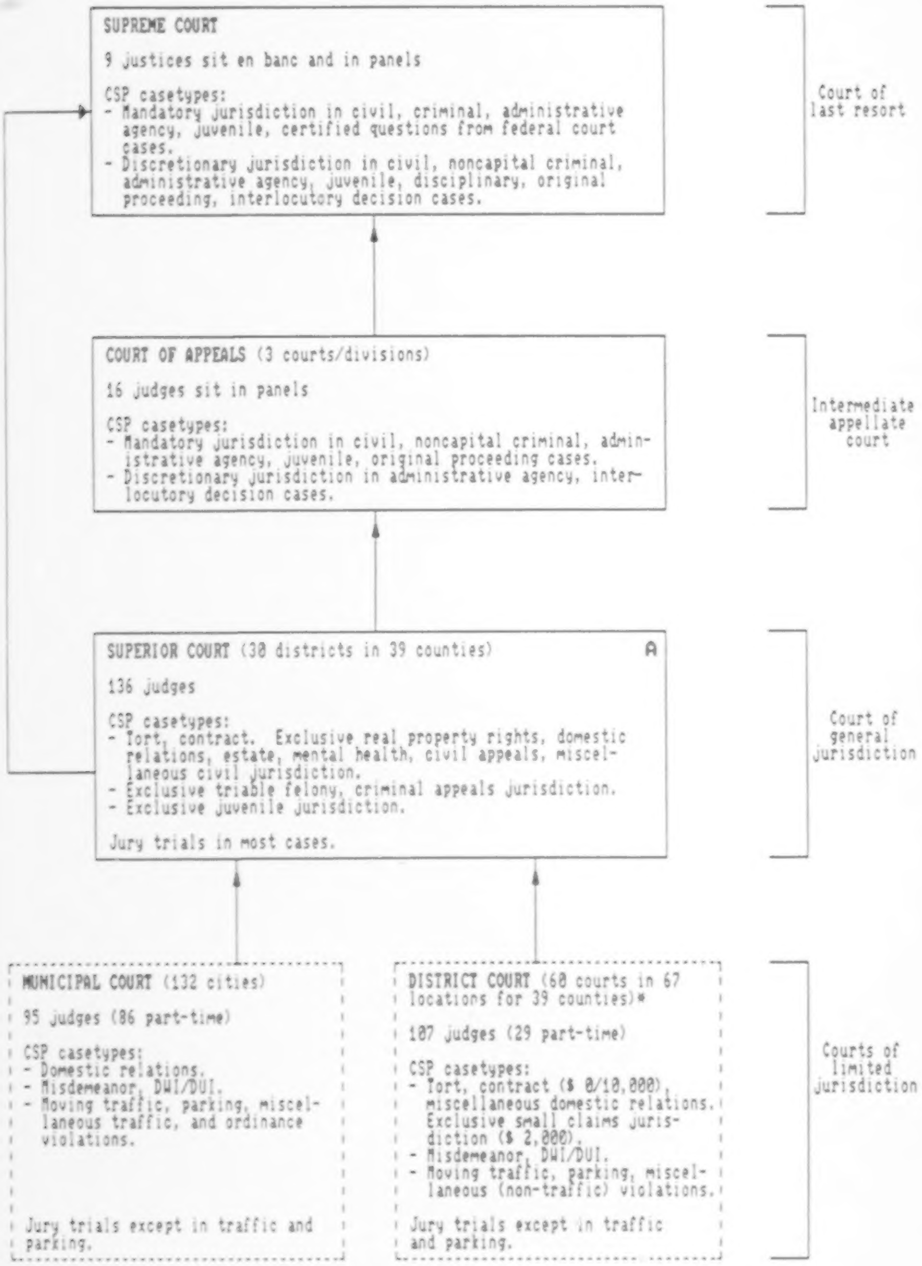
No jury trials.

Court of limited jurisdiction

* The Virginia Court of Appeals became operational on January 1, 1985.

** The District Court is referred to as the Juvenile and Domestic Relations Court when hearing juvenile and domestic relations cases, and as the General District Court for the balance of the cases.

WASHINGTON COURT STRUCTURE, 1988



SUPREME COURT

9 justices sit en banc and in panels

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, certified questions from federal court cases.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, disciplinary, original proceeding, interlocutory decision cases.

Court of last resort

COURT OF APPEALS (3 courts/divisions)

16 judges sit in panels

CSP casetypes:
- Mandatory jurisdiction in civil, noncapital criminal, administrative agency, juvenile, original proceeding cases.
- Discretionary jurisdiction in administrative agency, interlocutory decision cases.

Intermediate appellate court

SUPERIOR COURT (30 districts in 39 counties) A

136 judges

CSP casetypes:
- Tort, contract. Exclusive real property rights, domestic relations, estate, mental health, civil appeals, miscellaneous civil jurisdiction.
- Exclusive triable felony, criminal appeals jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials in most cases.

Court of general jurisdiction

MUNICIPAL COURT (132 cities)

95 judges (86 part-time)

CSP casetypes:
- Domestic relations.
- Misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous traffic, and ordinance violations.

Jury trials except in traffic and parking.

DISTRICT COURT (60 courts in 67 locations for 39 counties)*

107 judges (29 part-time)

CSP casetypes:
- Tort, contract ($ 0/10,000), miscellaneous domestic relations. Exclusive small claims jurisdiction ($ 2,000).
- Misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous (non-traffic) violations.

Jury trials except in traffic and parking.

Courts of limited jurisdiction

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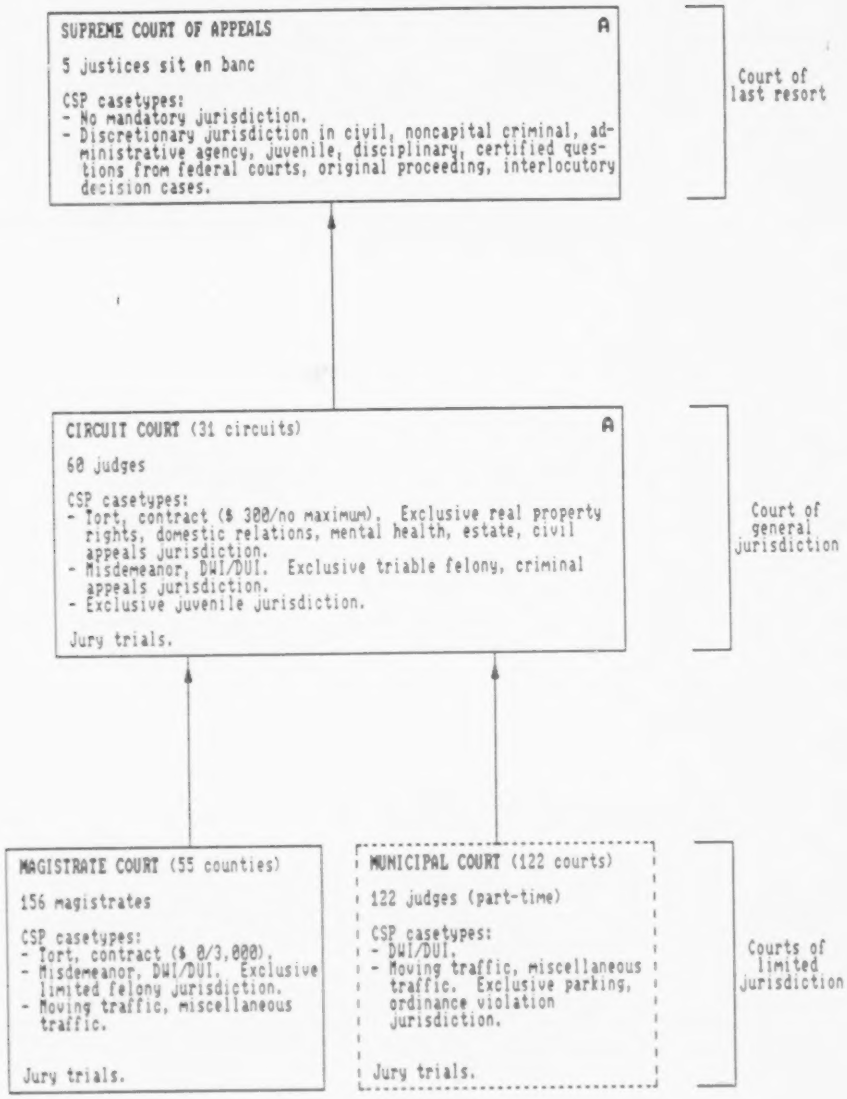
* District Court provides services to municipalities that do not have a Municipal Court.

WEST VIRGINIA COURT STRUCTURE, 1988



SUPREME COURT OF APPEALS A

5 justices sit en banc

CSP casetypes:
- No mandatory jurisdiction.
- Discretionary jurisdiction in civil, noncapital criminal, administrative agency, juvenile, disciplinary, certified questions from federal courts, original proceeding, interlocutory decision cases.

Court of last resort

CIRCUIT COURT (31 circuits) A

60 judges

CSP casetypes:
- Tort, contract ($ 300/no maximum). Exclusive real property rights, domestic relations, mental health, estate, civil appeals jurisdiction.
- Misdemeanor, DWI/DUI. Exclusive triable felony, criminal appeals jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials.

Court of general jurisdiction

MAGISTRATE COURT (55 counties)

156 magistrates

CSP casetypes:
- Tort, contract ($ 0/3,000).
- Misdemeanor, DWI/DUI. Exclusive limited felony jurisdiction.
- Moving traffic, miscellaneous traffic.

Jury trials.

MUNICIPAL COURT (122 courts)

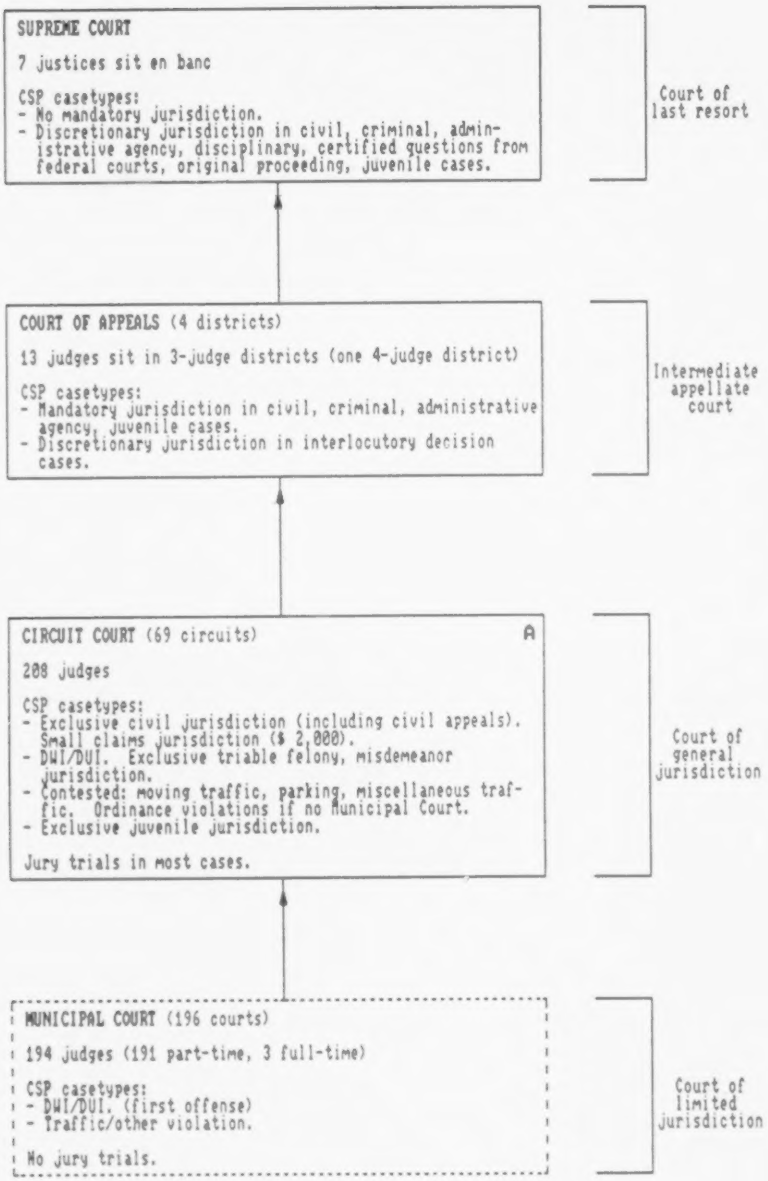
122 judges (part-time)

CSP casetypes:
- DWI/DUI.
- Moving traffic, miscellaneous traffic. Exclusive parking, ordinance violation jurisdiction.

Jury trials.

Courts of limited jurisdiction

WISCONSIN COURT STRUCTURE, 1988



SUPREME COURT

7 justices sit en banc

CSP casetypes:
- No mandatory jurisdiction.
- Discretionary jurisdiction in civil, criminal, administrative agency, disciplinary, certified questions from federal courts, original proceeding, juvenile cases.

Court of last resort

COURT OF APPEALS (4 districts)

13 judges sit in 3-judge districts (one 4-judge district)

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile cases.
- Discretionary jurisdiction in interlocutory decision cases.

Intermediate appellate court

CIRCUIT COURT (69 circuits) A

208 judges

CSP casetypes:
- Exclusive civil jurisdiction (including civil appeals). Small claims jurisdiction ($ 2,000).
- DWI/DUI. Exclusive triable felony, misdemeanor jurisdiction.
- Contested: moving traffic, parking, miscellaneous traffic. Ordinance violations if no Municipal Court.
- Exclusive juvenile jurisdiction.

Jury trials in most cases.

Court of general jurisdiction

MUNICIPAL COURT (196 courts)

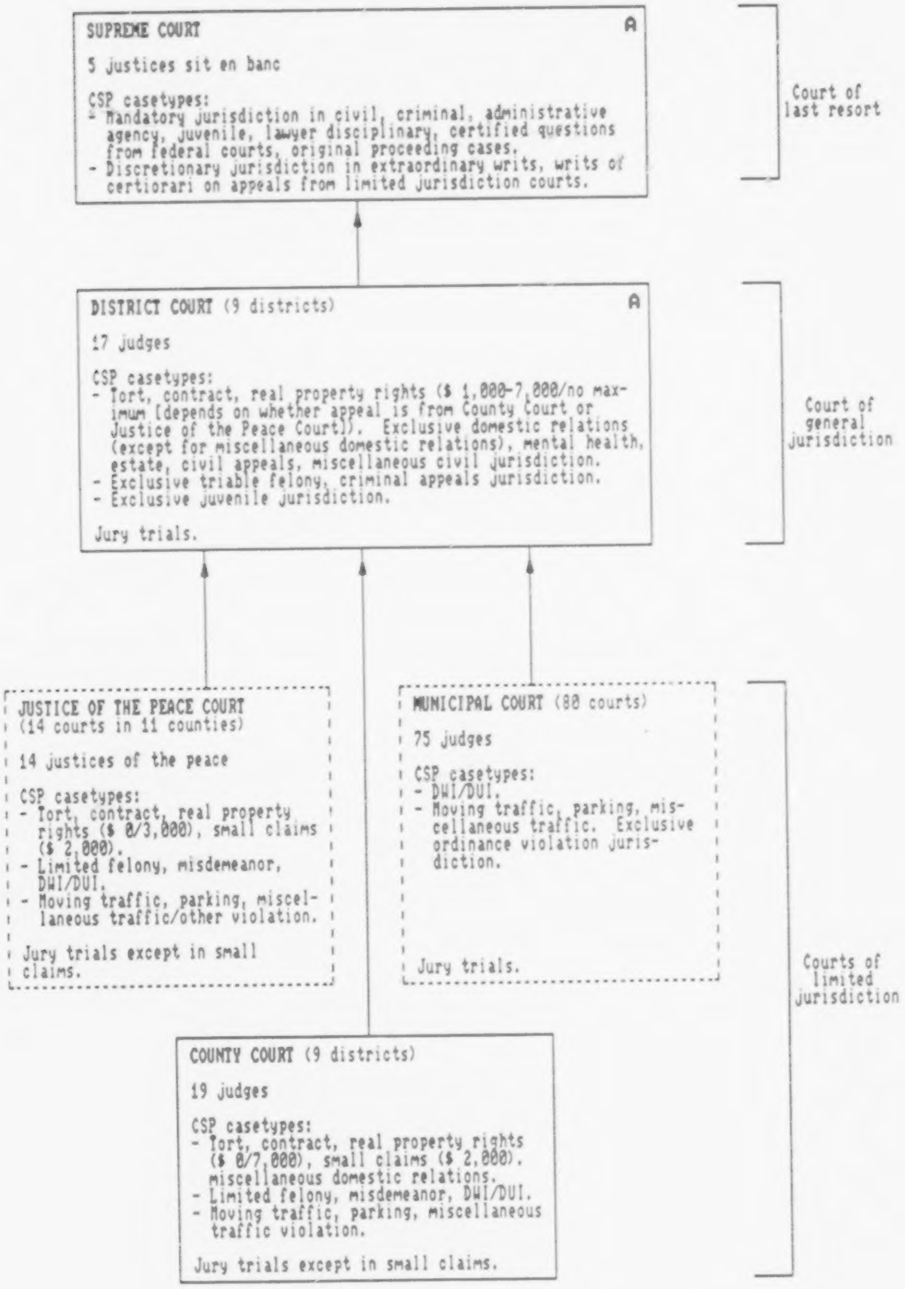
194 judges (191 part-time, 3 full-time)

CSP casetypes:
- DWI/DUI. (first offense)
- Traffic/other violation.

No jury trials.

Court of limited jurisdiction

WYOMING COURT STRUCTURE, 1988



SUPREME COURT A

5 justices sit en banc

CSP casetypes:
- Mandatory jurisdiction in civil, criminal, administrative agency, juvenile, lawyer disciplinary, certified questions from federal courts, original proceeding cases.
- Discretionary jurisdiction in extraordinary writs, writs of certiorari on appeals from limited jurisdiction courts.

Court of last resort

DISTRICT COURT (9 districts) A

17 judges

CSP casetypes:
- Tort, contract, real property rights ($ 1,000-7,000/no maximum [depends on whether appeal is from County Court or Justice of the Peace Court]). Exclusive domestic relations (except for miscellaneous domestic relations), mental health, estate, civil appeals, miscellaneous civil jurisdiction.
- Exclusive triable felony, criminal appeals jurisdiction.
- Exclusive juvenile jurisdiction.

Jury trials.

Court of general jurisdiction

JUSTICE OF THE PEACE COURT
(14 courts in 11 counties)

14 justices of the peace

CSP casetypes:
- Tort, contract, real property rights ($ 0/3,000), small claims ($ 2,000).
- Limited felony, misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous traffic/other violation.

Jury trials except in small claims.

MUNICIPAL COURT (80 courts)

75 judges

CSP casetypes:
- DWI/DUI.
- Moving traffic, parking, miscellaneous traffic. Exclusive ordinance violation jurisdiction.

Jury trials.

COUNTY COURT (9 districts)

19 judges

CSP casetypes:
- Tort, contract, real property rights ($ 0/7,000), small claims ($ 2,000). miscellaneous domestic relations.
- Limited felony, misdemeanor, DWI/DUI.
- Moving traffic, parking, miscellaneous traffic violation.

Jury trials except in small claims.

Courts of limited jurisdiction

Part V
Figures

FIGURE A: Reporting Periods for All State Courts, 1988

State	Reporting periods January 1, 1988 to December 31, 1988	 July 1, 1987 to June 30, 1988	 September 1, 1987 to August 31, 1988	 October 1, 1987 to September 30, 1988
Alabama				X
Alaska		X		
Arizona		X		
Arkansas		X		
California		X		
Colorado		X		
Connecticut		X		
Delaware		X		
District of Columbia	X			
Florida	X			
Georgia	X Court of Appeals Superior Court State Court Juvenile Court Probate Court	X Magistrate Court	X Supreme Court (Aug. 1, 1987 - July 31, 1988)	
Hawaii		X		
Idaho	X			
Illinois	X			
Indiana	X			
Iowa	X			
Kansas		X		
Kentucky		X		
Louisiana	X			
Maine	X			
Maryland		X		
Massachusetts		X Trial Courts		X Supreme Judicial Court Appeals Court
Michigan	X Court of Appeals Trial Courts	X Supreme Court		
Minnesota	X			
Mississippi	X Supreme Court			
Missouri		X		
Montana	X Supreme Court District Court	X City Court Justice of the Peace Court Municipal Court		
Nebraska	X District Court County Court Separate Juvenile	X Workers' Compensation Court		X Supreme Court
Nevada	X Supreme Court District Court			
New Hampshire	X Supreme Court Superior Court District Court Municipal Court	X Probate Court		

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FIGURE A: Reporting periods for all state courts, 1988. (continued)

State	Reporting periods			
	January 1, 1988 to December 31, 1988	July 1, 1987 to June 30, 1988	September 1, 1987 to August 31, 1988	October 1, 1987 to September 30, 1988
New Jersey		X		
New Mexico		X		
New York	X			
North Carolina		X		
North Dakota	X			
Ohio	X			
Oklahoma		X		
Oregon	X			
Pennsylvania	X			
Puerto Rico		X		
Rhode Island	X Trial Courts		X	Supreme Court
South Carolina	X			
South Dakota		X		
Tennessee		X*		
Texas			X	
Utah	X Supreme Court	X Trial Courts		
Vermont		X		
Virginia	X			
Washington	X			
West Virginia	X			
Wisconsin	X			
Wyoming	X			

Note: Unless otherwise indicated, an "X" means that all of the trial and appellate courts in that state report data for the time period indicated by the column.

FOOTNOTES

*Tennessee--Converted from a calendar year to a fiscal year reporting period. Data in this report represent the period July 1, 1988 to June 30, 1989.

Source: Data were gathered from the 1988 State Trial and Appellate Court Jurisdiction Guide profiles and State Administrative Offices of the Courts.

FIGURE B: Methods of Counting Cases in State Appellate Courts, 1988

		Case counted at:				Case filed with:		Does the court count reinstated/reopened cases in its count of new filings?		
State/Court name:	Court type	Notice of appeal	Filing of the trial record	Record plus briefs	Other point	Trial court	Appellate court	No	Rarely	Yes, or frequently as new case
ALABAMA:										
Supreme Court	COLR	X	0	0	0	X	0	X	0	0
Court of Civil Appeals	IAC	X	0	0	0	X	0	X	0	0
Court of Criminal Appeals	IAC	X	0	0	0	X	0	0	0	X
ALASKA:										
Supreme Court	COLR	X	0	0	0	X	0	IDENTIFIED SEPARATELY		
Court of Appeals	IAC	X	0	0	0	X	0	IDENTIFIED SEPARATELY		
ARIZONA:										
Supreme Court	COLR	X-CRIM	0	0	X*	X	0	0	X	0
Court of Appeals	IAC	X-CRIM*	X*	0	X*	X (except industrial cases & civil petition for special action)	X (only industrial cases & civil petition for special action)	0	X	0
ARKANSAS:										
Supreme Court	COLR	0	X	0	0	X	0	0	X	0
Court of Appeals	IAC	0	X	0	0	X	0	0	X	0
CALIFORNIA:										
Supreme Court	COLR	X*	X	0	0	X (death penalty only)	COLR (if petition for review of IAC)	X	0	0
Courts of Appeal	IAC	0	X	0	0	X	0	X	0	0
COLORADO:										
Supreme Court	COLR	X	0	0	0	0	X	IDENTIFIED SEPARATELY		
Court of Appeals	IAC	X	0	0	0	0	X	IDENTIFIED SEPARATELY		
CONNECTICUT:										
Supreme Court	COLR	X	0	0	0	X	0	X (if motion to open)	0	0
Appellate Court	IAC	X	0	0	0	X	0	X (if motion to open or if remand by COLR)	0	0
DELAWARE:										
Supreme Court	COLR	X	0	0	0	0	X	X	0	0
DISTRICT OF COLUMBIA:										
Court of Appeals	COLR	X	0	0	0	X	0	IDENTIFIED SEPARATELY		

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FIGURE B: Methods of counting cases in state appellate courts, 1988. (continued)

		Case counted at:				Case filed with:		Does the court count reinstated/reopened cases in its count of new filings?		
State/Court name:	Court type	Notice of appeal	Filing of the trial record	Record plus briefs	Other point	Trial court	Appellate court	No	Rarely	Yes, or frequently as new case
FLORIDA:										
Supreme Court	COLR	X	0	0	0	X	IAC	X	0	0
District Courts of Appeal	IAC	X	0	0	0	X	(Adm. Agy. and Workers Comp.)	X	0	0
GEORGIA:										
Supreme Court	COLR	0	X	0	0	X	0	0	0	X (if new appeal)
Court of Appeals	IAC	0	X	0	0	0	X	X	0	0
HAWAII:										
Supreme Court	COLR	0	X	0	0	X	X (original proceeding)	0	0	X
Intermediate Court of Appeals	IAC	0	0	0	(when assigned by COLR)	0	0	0	0	X
IDAHO:										
Supreme Court	COLR	X	0	0	0	X (appeal from trial court)	X (COLR if appeal from IAC)	0	X	0
Court of Appeals	IAC	0	0	0	(when assigned by COLR)	0	0	0	X	0
ILLINOIS:										
Supreme Court	COLR	X	0	0	0	0	X	X	0	0
Appellate Court	IAC	X	0	0	0	X	0	IDENTIFIED SEPARATELY		
INDIANA:										
Supreme Court	COLR	0	0	0	(any first filing, notice, record, brief or motion)	X (only death penalty and/or sentence over 10 years)	COLR (if petition for transfer from IAC)	0	0	X
Court of Appeals	IAC	0	0	0	(any first filing)	X (precipe)	0	0	0	X

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FIGURE B: Methods of counting cases in state appellate courts, 1988. (continued)

		Case counted at:				Case filed with:		Does the court count reinstated/reopened cases in its count of new filings?		
State/Court name:	Court type	Notice of appeal	Filing of the trial record	Record plus briefs	Other point	Trial court	Appellate court	No	Rarely	Yes, or frequently as new case
IOWA:										
Supreme Court	COLR	X	0	0	0	X (if appeal from trial court)	X (COLR if appeal from IAC)	X	0	0
Court of Appeals	IAC	0	0	0	TRANSFER	X (if appeal from trial court)	0	X	0	0
KANSAS:										
Supreme Court	COLR	0	0	0	X*	X	0	0	0	X
Court of Appeals	IAC	0	0	0	X*	X	0	0	0	X
KENTUCKY:										
Supreme Court	COLR	0	0	0	X*	X	X (COLR if review is sought from IAC)	X	0	0
Court of Appeals	IAC	0	0	X	0	X	0	X	0	0
LOUISIANA:										
Supreme Court	COLR	0	X	0	0	0	X	X	0	0
Court of Appeals	IAC	0	X	0	0	0	X	X	0	0
MAINE:										
Supreme Judicial Court Sitting as Law Court	COLR	X	0	0	0	X	0	X (if remanded)	0	X (if new appeal)
MARYLAND:										
Court of Appeals	COLR	0	X	0	0	X (if direct appeal)	X (IAC if appeal from IAC)	0	0	X
Court of Special Appeals	IAC	0	X	0	0	X	0	0	0	X
MASSACHUSETTS:										
Supreme Judicial Court	COLR	0	X	0	0	X	0	X	0	0
Appeals Court	IAC	0	X	0	0	X	0	0	X (if originally dismissed as premature)	0

(continued on next page)

FIGURE B: Methods of counting cases in state appellate courts, 1988. (continued)

		Case counted at:				Case filed with:		Does the court count reinstated/reopened cases in its count of new filings?		
State/Court name:	Court type	Notice of appeal	Filing of the trial record	Record plus briefs	Other point	Trial court	Appellate court	No	Rarely	Yes, or frequently as new case
MICHIGAN:										
Supreme Court	COLR	X	0	0	0	0	X	X (if remanded w/jurisdiction retained)	0	X (if new appeal)
Court of Appeals	IAC	X	0	0	0	0	X	0	0	X
MINNESOTA:										
Supreme Court	COLR	X	0	0	0	0	X	X	0	0
Court of Appeals	IAC	X	0	0	0	0	X	X	0	0
MISSISSIPPI:										
Supreme Court	COLR	X	0	0	0	X	0	IDENTIFIED SEPARATELY		
MISSOURI:										
Supreme Court	COLR	X	0	0	0	X	0	X	0	0
Court of Appeals	IAC	X	0	0	0	X	0	X	0	0
MONTANA:										
Supreme Court	COLR	X (notice plus any other filing: fee, record, motion)	0	0	0	X	0	X	0	0
NEBRASKA:										
Supreme Court	COLR	X	0	0	0	X	0	0	0	X
NEVADA:										
Supreme Court	COLR	0	X	0	0	0	X	X	0	0
NEW HAMPSHIRE:										
Supreme Court	COLR	X	0	0	0	0	X	X (if remanded & jurisdiction retained)	0	X
NEW JERSEY:										
Supreme Court	COLR	X	0	0	0	0	(COLR if direct appeal, otherwise with IAC)	IDENTIFIED SEPARATELY		
Appellate Division of Superior Court	IAC	X	0	0	0	0	X	IDENTIFIED SEPARATELY		

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FIGURE B: Methods of counting cases in state appellate courts, 1988. (continued)

		Case counted at:				Case filed with:		Does the court count reinstated/reopened cases in its count of new filings?		
State/Court name:	Court type	Notice of appeal	Filing of the trial record	Record plus briefs	Other point	Trial court	Appellate court	No	Rarely	Yes, or frequently as new case
NEW MEXICO:										
Supreme Court	COLR	0	0	0	X (within 30 days of notice)	X	0	X	0	0
Court of Appeals	IAC	0	0	0	X (within 30 days of notice)	X	0	IDENTIFIED SEPARATELY		
NEW YORK:										
Court of Appeals	COLR	X	0	0	0	X	0	0	0	X
Appellate Divisions of Supreme Court	IAC	0	X	0	0	X	0	X (if remit for specific issues)	0	X (if remand for new trial)
Appellate Terms of Supreme Court	IAC	0	X	0	0	X	0	X	0	0
NORTH CAROLINA:										
Supreme Court	COLR	0	X	0	0	X (if direct appeal)	X (COLR if appeal from IAC)	X (if petition to rehear)	X	0
Court of Appeals	IAC	0	X	0	0	X	0	X (if reconsidering dismissal)	X	0
NORTH DAKOTA:										
Supreme Court	COLR	X	0	0	0	X	0	0	0	X
OHIO:										
Supreme Court	COLR	X	0	0	0	0	IAC	X	0	0
Court of Appeals	IAC	X	0	0	0	X*	0	X	0	0
OKLAHOMA:										
Supreme Court	COLR	X*	0	0	0	X	0	X*	0	X*
Court of Criminal Appeals	COLR	0	X (notice plus transcript)	0	0	X	0	X*	0	X*
Court of Appeals	IAC	0	0	0	TRANSFER	0	COLR	X*	0	X*
OREGON:										
Supreme Court	COLR	X	0	0	0	0	X	IDENTIFIED SEPARATELY		
Court of Appeals	IAC	X	0	0	0	0	X	IDENTIFIED SEPARATELY		

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FIGURE B: Methods of counting cases in state appellate courts, 1988. (continued)

		Case counted at:				Case filed with:		Does the court count reinstated/reopened cases in its count of new filings?		
State/Court name:	Court type	Notice of appeal	Filing of the trial record	Record plus briefs	Other point	Trial court	Appellate court	No	Rarely	Yes, or frequently as new case
PENNSYLVANIA:										
Supreme Court	COLR	X (direct appeal only)	0	0	X (discretionary certiorari granted)	X*	X*	X (if reinstated to enforce order)	X (if new appeal)	0
Superior Court	IAC	X	0	0	0	X	0	X	0	0
Commonwealth Court	IAC	X	0	0	0	X	X (ADM. AGY.)	0	0	X
PUERTO RICO:										
Supreme Court	COLR	X	0	0	0	X-CR	X-CV	IDENTIFIED SEPARATELY		
RHODE ISLAND:										
Supreme Court	COLR	0	X	0	0	0	X	0	0	X
SOUTH CAROLINA:										
Supreme Court	COLR	0	X	0	0	X	X	X	0	0
Court of Appeals	IAC	0	0	0	TRANSFER	0	0	X	0	0
SOUTH DAKOTA:										
Supreme Court	COLR	X	0	0	0	X	0	X	0	0
TENNESSEE:										
Supreme Court	COLR	X	0	0	0	0	X	IDENTIFIED SEPARATELY		
Court of Appeals	IAC	X	0	0	0	0	X (Court of Appeals)	IDENTIFIED SEPARATELY		
Court of Criminal Appeals	IAC	X	0	0	0	0	X (Court of Criminal Appeals)	IDENTIFIED SEPARATELY		
TEXAS:										
Supreme Court	COLR	X	0	0	0	0	X	IDENTIFIED SEPARATELY		
Court of Criminal Appeals	COLR	0	0	0	(any first filing)	X	X (Court of Crim. Appeals)	IDENTIFIED SEPARATELY		
Court of Appeals	IAC	X (Civil only)	0	0	0	X	0	IDENTIFIED SEPARATELY		
UTAH:										
Supreme Court	COLR	X*	0	0	0	X (court from which appealed)	X (ADM. AGY)	X	0	0
Court of Appeals	IAC	X	0	0	0	X	0	0	X	0

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FIGURE B: Methods of counting cases in state appellate courts, 1988. (continued)

		Case counted at:				Case filed with:		Does the court count reinstated/reopened cases in its count of new filings?		
State/Court name:	Court type	Notice of appeal	Filing of the trial record	Record plus briefs	Other point	Trial court	Appellate court	No	Rarely	Yes, or frequently as new case
VERMONT:										
Supreme Court	COLR	X	0	0	0	X	0	X (if dismissed & reinstated)	0	X (If after final decision or if statistical period has ended)
VIRGINIA:										
Supreme Court	COLR	X	0	0	0	0	X	X	0	0
Court of Appeals	IAC	X	0	0	0	X	0	X	0	0
WASHINGTON:										
Supreme Court	COLR	X	0	0	0	X	0	X	0	0
Court of Appeals	IAC	X	0	0	0	X	0	X	0	0
WEST VIRGINIA:										
Supreme Court	COLR	X	0	0	0	X	0	X (Counted as new filings as of 8/86)	0	0
WISCONSIN:										
Supreme Court	COLR	0	0	0	(When accepted by court)	0	X	0	0	X
Court of Appeals	IAC	X	0	0	0	X	0	0	0	X
WYOMING:										
Supreme Court	COLR	X	0	0	0	0	X	0	0	X

ADM. AGY. = Administrative agency cases only.
CR = Criminal cases only.
CV = Civil cases only.
DP = Death penalty cases only.
COLR = Court of last resort.
IAC = Intermediate appellate court.

FOOTNOTES

Arizona–Supreme Court: Civil cases: A case is counted when the fee is paid within 30 days after trial record is filed.

Arizona–Court of Appeals: Civil cases: A case is counted when the fee is paid within 30 days after trial record is filed. For juvenile/industrial/habeas corpus cases, a case is counted at receipt of notice or at receipt of the trial record.

California–Supreme Court: Cases are counted at the notice of appeal for discretionary review cases from the IAC.

Kansas--Cases are counted at the docketing, which occurs 21 days after a notice of appeal is filed in the trial court.

Kentucky–Cases are counted at either the filing of the brief or request for intermediate relief.

Ohio–Court of Appeals: The clerk of the trial court is also the clerk of the Court of Appeals.

Oklahoma--The notice of appeal refers to the petition in error. The courts do not count reinstated cases as new filings, but do count any subsequent appeal of an earlier decided case as a new filing.

Pennsylvania–Supreme Court: Mandatory cases are filed with the trial court, and discretionary cases are filed with the appellate court.

Utah–Supreme Court: Mandatory appeals are no longer in effect as of 1/1/86; an intermediate court of appeals was established on 1/1/87.

Source: State Appellate Court Jurisdiction Guide profiles, as updated and verified for 1988 by State Administrative Offices of the Courts.

FIGURE C: Dollar Amount Jurisdiction for Original Tort, Contract, Real Property Rights, and Small Claims Filings in State Trial Courts, 1988

State/Court name:	Jurisdiction	Unlimited dollar amount torts, contracts, real property Minimum/maximum	Limited dollar amount torts, contracts real property Minimum/maximum	Small claims			
				Maximum dollar amount	Jury trials	Summary procedures	Lawyers permitted
ALABAMA:							
Circuit Court	G	$1,000/No maximum	–	–	–	–	–
District Court	L	–	$1,000/ $5,000	$1,000	No	Yes	Optional
ALASKA:							
Superior Court	G	0/No maximum	–	–	–	–	–
District Court	L	–	0/$35,000	$5,000	No	Yes	No
ARIZONA:							
Superior Court	G	$500/No maximum	–	–	–	–	–
Justice of the Peace Court	L	–	0/ $2,500	$1,000	No	Yes	No
ARKANSAS:							
Circuit Court	G	$100/No maximum	–	–	–	–	–
Court of Common Pleas	L	–	$500/ $1,000 (contract only)	–	–	–	–
Municipal Court	L	–	0/ $3,000 (contract and real property)	$300	No	Yes	No
City Court, Police Court	L	–	0/ $300 (contract and real property)	–	–	–	–
CALIFORNIA:							
Superior Court	G	$25,000/No maximum	–	–	–	–	–
Municipal Court	L	–	0/$25,000	$2,000	No	Yes	No
Justice Court	L	–	0/$25,000	$2,000	No	Yes	No
COLORADO:							
District Court	G	0/No maximum	–	–	–	–	–
Water Court	G	0/No maximum (only real property)	–	–	–	–	–
County Court	L	–	0/ $5,000	$2,000	No	Yes	No
CONNECTICUT:							
Superior Court	G	0/No maximum	–	$1,000	No	Yes	Yes
DELAWARE:							
Court of Chancery	G	0/No maximum	–	–	–	–	–
Superior Court	G	0/No maximum	–	–	–	–	–
Court of Common Pleas	L	–	0/$15,000	–	–	–	–
Justice of the Peace Court	L	–	0/ $2,500	$2,500	No	Yes	Yes
Alderman's Court	L	–		$2,500	No	Yes	Yes
DISTRICT OF COLUMBIA:							
Superior Court	G	0/No maximum (no minimum for real property)	–	$2,000	Yes	Yes	Yes
FLORIDA:							
Circuit Court	G	$5,000/No maximum	–	–	–	–	–
County Court	L	–	$2,500/ $5,000	$2,500	Yes	Yes	Yes

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FIGURE C: Dollar amount jurisdiction for original tort, contract, real property rights, and small claims filings in state trial courts, 1988. (continued)

				Small claims			
State/Court name:	Jurisdiction	Unlimited dollar amount torts, contracts, real property Minimum/maximum	Limited dollar amount torts, contracts real property Minimum/maximum	Maximum dollar amount	Jury trials	Summary procedures	Lawyers permitted
GEORGIA:							
Superior Court	G	0/No maximum	–	No max	Yes	No	Yes
State Court	L	0/No maximum (No real property)	–	No max	Yes	Yes	Yes
Civil Court	L	–	0/ $7,500-25,000	$7,500-$25,000	No	Yes	Yes
Magistrate Court	L	–	0/ $3,000 (No real property)	$3,000	No	Yes	Yes
Municipal Court	L	–	0/ $7,500	$7,500	No	Yes	Yes
HAWAII:							
Circuit Court	G	$5,000/No maximum	$5,000/$10,000	–	–	–	–
District Court	L	–	0/$10,000 (No maximum in summary possession or ejectment)	0/$2,500 (Except in residential security deposit cases)	No	Yes	Yes
IDAHO:							
District Court:	G	0/No maximum	–	–	–	–	–
(Magistrates Division)	L	–	0/$10,000	$2,000	No	Yes	No
ILLINOIS:							
Circuit Court	G	0/No maximum	–	$2,500	Yes	Yes	Yes
INDIANA:							
Superior Court and Circuit Court	G	0/No maximum	–	$3,000	No	Yes	Yes
County Court	L	–	0/$10,000	$3,000	No	Yes	Yes
Municipal Court of Marion County	L	–	0/$20,000	–	–	–	–
Small Claims Court of Marion County	L	–	–	$3,000	No	Yes	Yes
City Court	L	–	0/ $500-$2,500 (No real property)	–	–	–	–
IOWA:							
District Court	G	0/No maximum	–	$2,000	No	Yes	Yes
KANSAS:							
District Court	G	0/No maximum	–	$1,000	No	Yes	No
KENTUCKY:							
Circuit Court	G	$4,000/No maximum	–	–	–	–	–
District Court	L	–	0/ $4,000	$1,500	No	Yes	Yes
LOUISIANA:							
District Court	G	0/No maximum	–	–	–	–	–
City Court, Parish Court	L	–	0/ $5,000	$2,000	No	Yes	Yes
Justice of the Peace Court	L	–	0/ $1,200	$1,200	No	Yes	Yes
MAINE:							
Superior Court	G	0/No maximum	–	–	–	–	–
District Court	L	–	0/$30,000	$1,400	No	Yes	Yes
MARYLAND:							
Circuit Court	G	$2,500/No maximum	–	–	–	–	–
District Court	L	–	0/$10,000 (No maximum real property)	$1,000	No	Yes	Yes

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FIGURE C: Dollar amount jurisdiction for original tort, contract, real property rights, and small claims filings in state trial courts, 1988. (continued)

State/Court name:	Jurisdiction	Unlimited dollar amount torts, contracts, real property Minimum/maximum	Limited dollar amount torts, contracts real property Minimum/maximum	Small claims Maximum dollar amount	Small claims Jury trials	Small claims Summary procedures	Small claims Lawyers permitted
MASSACHUSETTS:							
Trial Court of the Commonwealth:							
Superior Court Dept.	G	0/No maximum	--	--	--	--	--
Housing Court Dept.	G	0/No maximum	--	$1,500	No	No	Yes
District Court Dept.	G	0/No maximum	--	$1,500	Yes	Yes	Yes
Boston Municipal Court Dept.	G	0/No maximum	--	$1,500	Yes	Yes	Yes
MICHIGAN:							
Circuit Court	G	$10,000/No maximum	--	--	--	--	--
District Court	L	--	0/$10,000	$1,500	No	Yes	No
Municipal Court	L	--	0/ $1,500	$1,500	No	Yes	No
MINNESOTA:							
District Court	G	0/No maximum	--	$2,000	No	Yes	Yes
MISSISSIPPI:		(NO DATA AVAILABLE)					
MISSOURI:							
Circuit Court	G	0/No maximum	--	--	--	--	--
(Associates Division)	L	--	0/$15,000	$1,500	No	Yes	Yes
MONTANA:							
District Court	G	$50/No maximum	--	--	--	--	--
Justice of the Peace Court and Municipal Court	L	--	0/ $3,500	$1,500	No	Yes	No
City Court	L	--	0/ $300	$300	No	Yes	No
NEBRASKA:							
District Court	G	0/No maximum	--	--	--	--	--
County Court	L	--	0/$10,000 ($5,000 for real property)	$1,500	No	Yes	No
NEVADA:							
District Court	G	$1,000/No maximum	--	--	--	--	--
Justice Court	L	--	0/ $2,500	$2,500	No	Yes	Yes
Municipal Court	L	--	0/ $2,500	--	--	--	--
NEW HAMPSHIRE:							
Superior Court	G	$1,500/No maximum	--	--	--	--	--
District Court	L	--	0/$10,000	$2,500	No	Yes	Yes
Municipal Court	L	--	0/ $1,500	$1,500	No	Yes	Yes
					(only landlord-tenant, and small claims)		
NEW JERSEY:							
Superior Court (Law Division and Chancery Division)	G	0/No maximum	--	--	--	--	--
(Law Division, Special Civil Part)	L	--	0/ $5,000	$1,000	No	Yes	Yes
NEW MEXICO:							
District Court	G	0/No maximum	--	--	--	--	--
Magistrate Court	L	--	0/ $5,000	--	--	--	--
Metropolitan Court of Bernalillo County	L	--	0/ $5,000	--	--	--	--

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FIGURE C: Dollar amount jurisdiction for original tort, contract, real property rights, and small claims filings in state trial courts, 1988. (continued)

State/Court name:	Jurisdiction	Unlimited dollar amount torts, contracts, real property Minimum/maximum	Limited dollar amount torts, contracts real property Minimum/maximum	Small claims			
				Maximum dollar amount	Jury trials	Summary procedures	Lawyers permitted
NEW YORK:							
Supreme Court	G	0/No maximum	–	–	–	–	–
County Court	G	–	0/$25,000	–	–	–	–
Civil Court of the City of New York	L	–	0/$25,000	$2,000	Yes	Yes	Yes
City Court	L	–	0/ $5,000 $15,000	$2,000	Yes	Yes	Yes
District Court	L	–	0/$15,000	$2,000	Yes	Yes	Yes
Court of Claims	L	0/No maximum	–	–	–	–	–
Town Court and Village Justice Court	L	–	0/ $3,000	$1,500	Yes	Yes	Yes
NORTH CAROLINA:							
Superior Court	G	$10,000/No maximum	–	–	–	–	–
District Court	L	–	0/$10,000	$1,500	No	Yes	Yes
NORTH DAKOTA:							
District Court	G	0/No maximum	–	–	–	–	–
County Court	L	–	0/$10,000	$2,000	No	Yes	Varies
OHIO:							
Court of Common Pleas	G	$500/No maximum	–	–	–	–	–
County Court	L	–	0/ $3,000	$1,000	No	Yes	Yes
Municipal Court	L	–	0/$10,000	$1,000	No	Yes	Yes
OKLAHOMA:							
District Court	G	0/No maximum	–	$3,000	Yes	Yes	Yes
OREGON:							
Circuit Court	G	$10,000/No maximum	–	–	–	–	–
District Court	L	–	0/$10,000	$2,500	No	Yes	No
Justice Court	L	–	0/ $2,500	$2,500	No	Yes	No
PENNSYLVANIA:							
Court of Common Pleas	G	0/No maximum	–	–	–	–	–
District Justice Court	L	–	0/ $4,000	–	–	–	–
Philadelphia Municipal Court	L	–	0/ $5,000 (only real property)	$5,000	No	Yes	Yes
Pittsburgh City Magistrates Court	L	–	0/No maximum (only real property)	–	–	–	–
PUERTO RICO:							
Superior Court	G	$10,000/No maximum	–	–	–	–	–
District Court	L	–	0/$10,000	–	–	–	–
RHODE ISLAND:							
Superior Court	G	$5,000/No maximum	–	–	–	–	–
District Court	L	–	$1,000/ $5,000- $10,000	$1,500	No	Yes	Yes
SOUTH CAROLINA:							
Circuit Court	G	0/No maximum	–	–	–	–	–
Magistrate Court	L	–	0/ $2,500 (no max. in landlord-tenant)	–	–	–	–
SOUTH DAKOTA:							
Circuit Court	G	0/No maximum	–	$2,000	No	Yes	Yes

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FIGURE C: Dollar amount jurisdiction for original tort, contract, real property rights, and small claims filings in state trial courts, 1988. (continued)

State/Court name	Jurisdiction	Unlimited dollar amount torts, contracts, real property Minimum/maximum	Limited dollar amount torts, contracts real property Minimum/maximum	Small claims			
				Maximum dollar amount	Jury trials	Summary procedures	Lawyers permitted
TENNESSEE:							
Circuit Court, Chancery Court	G	$50/No maximum	–	–	–	–	–
General Sessions Court	L	0/No maximum (Forcible entry, detainer, and in actions to recover personal property	0/$15,000 (All civil actions in counties with population under 700,000) 0/$25,000 (All civil actions in counties with population over 700,000)	$10,000	No	Yes	Yes
TEXAS:							
District Court	G	$200/No maximum	–	–	–	–	–
County Court at Law, Constitutional County Court	L	–	$200/varies	$200	–	–	–
Justice Court	L	–	0 / $2,500 (No max. in real property)	$1,000	Yes	Yes	Yes
UTAH:							
District Court	G	0/No maximum	–	–	–	–	–
Circuit Court	L	–	0/$10,000	$1,000	No	Yes	Yes
Justice Court	L	–	0/ $1,000	$1,000	Yes	Yes	Yes
VERMONT:							
Superior Court	G	$200/No maximum	–	–	–	–	–
District Court	G	–	0/ $5,000	$2,000	Yes	Yes	Yes
VIRGINIA:							
Circuit Court	G	0-$1,000/No maximum 0/No maximum (real property)	–	–	–	–	–
District Court	L	–	0/ $7,000	–	–	–	–
WASHINGTON:							
Superior Court	G	0/No maximum	–	–	–	–	–
District Court	L	–	0/$10,000 No real property)	$2,000	No	Yes	Yes
WEST VIRGINIA:							
Circuit Court	G	$300/No maximum	–	–	–	–	–
Magistrate Court	L	–	0/ $3,000 (No real property)	–	–	–	–
WISCONSIN:							
Circuit Court	G	0/No maximum	–	$2,000	Yes	No	Yes
WYOMING:							
District Court	G	$1,000-$7,000/No maximum	–	–	–	–	–
County Court	L	–	0/ $7,000	$2,000	No	Yes	Yes
Justice of the Peace Court	L	–	0/ $3,000	$2,000	No	Yes	Yes

JURISDICTION CODES:

G = General jurisdiction court.
L = Limited jurisdiction court.
– = Information not available.

Source: Data were gathered from the 1988 State Trial Court Jurisdiction Guide profiles, and State Administrative Offices of the Courts.

FIGURE D: Criminal Case Unit of Count Used by the State Trial Courts, 1988

			Number of defendants		Contents of charging document			
State/Court name:	Jurisdiction	Point of counting a criminal case	One	One or more	Single charge	Single incident (set # of charges per case)	Single incident (unlimited # of charges)	One or more incidents
ALABAMA:								
Circuit Court	G	Information/Indictment		X			X	
District Court	L	Complaint	X				X	
Municipal Court	L	Complaint	X				(No data reported)	
ALASKA:								
Superior Court	G	Indictment	X				X	
District Court	L	Complaint	X				X	
ARIZONA:								
Superior Court	G	Information/indictment	X					X
Justice of the Peace Court	L	Complaint				Varies with prosecutor*		
Municipal Court	L	Complaint				Varies with prosecutor*		
ARKANSAS:								
Circuit Court	G	Information/indictment	X		X			
Municipal Court	L	Complaint	X		X			
City Court, Police Ct.	L	Complaint	X		X			
CALIFORNIA:								
Superior Court	G	Information/indictment	X				X	
Justice Court	L	Complaint	X				X	
Municipal Court	L	Complaint	X				X	
COLORADO:								
District Court	G	Complaint	X					X
County Court	L	Complaint/summons	X					X
CONNECTICUT:								
Superior Court	G	Information	X				(Varies among local police departments)	
DELAWARE:								
Superior Court	G	Information/indictment	X				X	
Family Court	L	Complaint/petition	X				X	
Justice of the Peace Court	L	Complaint	X		X			
Court of Common Pleas	L	Complaint	X		X			
Municipal Court of Wilmington	L	Complaint	X		X			
Alderman's Court	L	Complaint	X		X			
DISTRICT OF COLUMBIA:								
Superior Court	G	Complaint/information/indictment	X				X	
FLORIDA:								
Circuit Court	G	Information/indictment	X				(Prosecutor decides)	
County Court	L	Complaint	X		X			

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FIGURE D: Criminal case unit of count used by the state trial courts, 1988. (continued)

State/Court name:	Jurisdiction	Point of counting a criminal case	Number of defendants: One	Number of defendants: One or more	Contents of charging document: Single charge	Contents of charging document: Single incident (set # of charges per case)	Contents of charging document: Single incident (unlimited # of charges)	Contents of charging document: One or more incidents
GEORGIA:								
Superior Court	G	Indictment/accusation		X			X	
State Court	L	Accusation/citation		X			X	
Magistrate Court	L	Accusation/citation	X				X	
Probate Court	L	Accusation/citation	X				X	
Municipal Court	L	No data reported						
Civil Court	L	No data reported						
County Recorder's Court	L	No data reported						
Municipal Courts and the City Court of Atlanta	L	No data reported						
HAWAII:								
Circuit Court	G	Complaint/indictment	X				X	(Most serious charge)
District Court	L	First appearance/information	X		X			
IDAHO:								
District Court	G	Information	X					X
(Magistrates Division)	L	Complaint	X					X
ILLINOIS:								
Circuit Court	G	Information/indictment		X			X	
INDIANA:								
Superior Court and Circuit Court	G	Information/indictment	X				X (may not be consistent)	
County Court	L	Information/complaint	X				X (may not be consistent)	
Municipal Court of Marion County	L	Information/complaint	X				X (may not be consistent)	
City Court and Town Court	L	Information/complaint	X				X (may not be consistent)	
IOWA:								
District Court	G	Information/indictment	X				X	
KANSAS:								
District Court	G	First appearance	X				X	
KENTUCKY:								
Circuit Court	G	Information/indictment	X				X	
District Court	L	Complaint/citation	X				X	
LOUISIANA:								
District Court	G	Information/indictment	Varies			Varies		
City and Parish Court	L	Information/complaint	X				X	
MAINE:								
Superior Court	G	Information/indictment	X				X	
District Court	L	Information/complaint	X		X			

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FIGURE D: Criminal case unit of count used by the state trial courts, 1988. (continued)

			Number of defendants		Contents of charging document			
State/Court name:	Jurisdiction	Point of counting a criminal case	One	One or more	Single charge	Single incident (set # of charges per case)	Single incident (unlimited # of charges)	One or more incidents
MARYLAND:								
Circuit Court	G	Information/indictment	X				X	
District Court	L	Citation/information	X				X	
MASSACHUSETTS:								
Trial Court of the Commonwealth:								
Superior Court Dept.	G	Information/indictment	X					X
Housing Court Dept.	L	Complaint	X					X
District Court Dept.	L	Complaint	X					X
Boston Municipal Ct.	L	Complaint	X					X
MICHIGAN:								
Circuit Court	G	Information	X				X	
District Court	L	Complaint	X				X	
Municipal Court	L	Complaint	X				X	
MINNESOTA:								
District Court	G	Complaint	X				X	
MISSISSIPPI:								
Circuit Court	G	Indictment	X				X	
Chancery Court	G	Indictment	X				X	
MISSOURI:								
Circuit Court	G	Information/indictment		X			X	
(Associate Division)	L	Complaint		X			X	
MONTANA:								
District Court	G	Information/indictment		X			X	
Justice of Peace Court and Municipal Court	L	Complaint	X				X	
City Court	L	Complaint	X				X	
NEBRASKA:								
District Court	G	Information/indictment	X				X (not consistently observed statewide)	
County Court	L	Information/complaint	X				X	
NEVADA:								
District Court	G	Information/indictment	Varies		Varies, depending on prosecutor			
Justice Court	L	Complaint	Varies		Varies, depending on prosecutor			
Municipal Court	L	Complaint	Varies		Varies, depending on prosecutor			
NEW HAMPSHIRE:								
Superior Court	G	Information/indictment	X		X			
District Court	L	Complaint	X		X			
Municipal Court	L	Complaint	X		X			
NEW JERSEY:								
Superior Court (Law Division)	G	Accusation/indictment	X				X	
Municipal Court	L	Complaint	X				X	

(continued on next page)

FIGURE D: Criminal case unit of count used by the state trial courts, 1988. (continued)

			Number of defendants		Contents of charging document			
State/Court name:	Jurisdiction	Point of counting a criminal case	One	One or more	Single charge	Single incident (set # of charges per case)	Single incident (unlimited # of charges)	One or more incidents
NEW MEXICO:								
District Court	G	Indictment/information	X				X	(May vary with prosecutor)
Magistrate Court	L	Complaint	X				X	
Bernalillo County Metropolitan Court	L	Complaint	X				X	
NEW YORK:								
Supreme Court	G	Defendant/indictment	X		Varies depending on prosecutor			
County Court	G	Defendant/indictment	X		Varies depending on prosecutor			
Criminal Court of the City of New York	L	Docket number	X		Varies depending on prosecutor			
District Court and City Court	L	Docket number	X		Varies depending on prosecutor			
Town Court and Village Justice Court	L	Complaint	X		Varies depending on prosecutor			
NORTH CAROLINA:								
Superior Court	G	Indictment (filing of appeal from District Court on misdemeanor conviction)	X		Varies depending on prosecutor			
District Court	L	Warrant/summons (includes citations, Magistrates order, misdemeanor statement of charges)	X		Varies depending on prosecutor			
NORTH DAKOTA:								
District Court	G	Information/indictment	X				X	(may vary)
County Court	L	Complaint/information	X				Varies	
Municipal Court	L	Complaint	X				X	
OHIO:								
Court of Common Pleas	G	Arraignment	X				X	
County Court	L	Warrant/summons	X				X	
Municipal Court	L	Warrant/summons	X				X	
Mayor's Court	L	No data reported						
OKLAHOMA:								
District Court	G	Information/indictment		X				X
OREGON:								
Circuit Court	G	Complaint/indictment		X		(Number of charges not consistent statewide)		
District Court	L	Complaint/indictment		X		(Number of charges not consistent statewide)		
Justice Court	L	Complaint		X		(Number of charges not consistent statewide)		
Municipal Court	L	Complaint		X	X			
PENNSYLVANIA:								
Court of Common Pleas	G	Information/docket transcript	X				X	
District Justice Court	L	Complaint	X				X	
Philadelphia Municipal Court	L	Complaint	X				X	
Pittsburgh City Magistrates Court	L	Complaint	X				X	

(continued on next page)

FIGURE D: Criminal case unit of count used by the state trial courts, 1988. (continued)

			Number of defendants		Contents of charging document			
State/Court name:	Jurisdiction	Point of counting a criminal case	One	One or more	Single charge	Single incident (set # of charges per case)	Single incident (unlimited # of charges)	One or more incidents
PUERTO RICO:								
Superior Court	G	Accusation	X		X			
District Court	L	Charge	X		X			
RHODE ISLAND:								
Superior Court	G	Information/indictment		X				X
District Court	L	Complaint	X					X
SOUTH CAROLINA:								
Circuit Court	G	Indictment	X				X	
Magistrate Court	L	Warrant/summons	X				X	
Municipal Court	L	Warrant/summons	X				X	
SOUTH DAKOTA:								
Circuit Court	G	Complaint	X				X	
TENNESSEE:								
Circuit Court and Criminal Court	G	Information/indictment	Not consistent statewide					
General Sessions Court	L	No data reported						
Municipal Court	L	No data reported						
TEXAS:								
District Court and Criminal District Court	G	Information/indictment	X				X	
County-Level Courts	L	Complaint/information	X				X	
Municipal Court	L	Complaint	X		X			
Justice of the Peace Court	L	Complaint	X		X			
UTAH:								
District Court	G	Information		X				X
Circuit Court	L	Information/citation	X				X	
Justice Court	L	Citation	X				X	
VERMONT:								
District Court	G	Arraignment	X					X
VIRGINIA:								
Circuit Court	G	Information/indictment	X		X			
District Court	L	Warrant/summons	X		X			
WASHINGTON:								
Superior Court	G	Information		X			X	
District Court	L	Complaint/citation	X			X (2 max)		
Municipal Court	L	Complaint/citation	X			X (2 max)		
WEST VIRGINIA:								
Circuit Court	G	Information/indictment		X				X
Magistrate Court	L	Warrant		X				X
Municipal Court	L	Complaint	X		X			
WISCONSIN:								
Circuit Court	G	Initial appearance	X					X
Municipal Court	L	Citation**	X		X			

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FIGURE D: Criminal case unit of count used by the state trial courts, 1988. (continued)

			Number of defendants		Contents of charging document			
State/Court name:	Jurisdiction	Point of counting a criminal case	One	One or more	Single charge	Single incident (set # of charges per case)	Single incident (unlimited # of charges)	One or more incidents
WYOMING:								
District Court	G	Information/indictment		X				X
County Court	L	Complaint/information		X				X
Justice of the Peace Court	L	Complaint/information		X				X
Municipal Court	L	Citation/complaint	X		X			

JURISDICTION CODES:

G = General jurisdiction court.
L = Limited jurisdiction court.

FOOTNOTES

*Arizona--Varies in limited jurisdiction courts. Prosecutor can file either long or short form. Long form can involve one or more defendants and/or charges; short form involves one defendant and a single charge.

**Wisconsin--Municipal Court--The court has exclusively civil jurisdiction, but its caseload includes first offense DWI/DUI cases. The State Court Model Statistical Dictionary treats all DWI/DUI cases as a subcategory of criminal cases.

Source: The 1988 State Trial Court Jurisdiction Guide profiles, updated and verified by State Administrative Offices of the Courts.

FIGURE E: Juvenile Unit of Count Used in State Trial Courts, 1988

State/Court name:	Jurisdiction	Filings are counted		Disposition counted		Age at which juvenile jurisdiction transfers to adult courts
		At intake or referral	At filing of petition or complaint	At adjudication of petition	At disposition of juvenile	
ALABAMA:						
Circuit Court	G		X	X		18
District Court	L		X	X		18
ALASKA:						
Superior Court	G		X	X		18
ARIZONA:						
Superior Court	G		X	X		18
ARKANSAS:						
Circuit Court	G			X	X	18
Chancery and Probate Court	G		X	X		18
CALIFORNIA:						
Superior Court	G		X	X		18
COLORADO:						
District Court (includes Denver Juvenile Court)	G		X		X	18
CONNECTICUT:						
Superior Court	G	X			X	16
DELAWARE:						
Family Court	L		X		X	18
DISTRICT OF COLUMBIA:						
Superior Court	G	X			X	18*
FLORIDA:						
Circuit Court	G		X	X		18
GEORGIA:						
Superior Court and Juvenile Court	G		X		X	17
HAWAII:						
Circuit Court (Family Court Division)	G	X		X		18 (jurisdiction may be retained until full term of the order expires provided term does not extend beyond time juvenile reaches age 20)
IDAHO:						
District Court	G		X	X		18

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FIGURE E: Juvenile unit of count used in state trial courts, 1988. (continued)

		Filings are counted		Disposition counted		
State/Court name:	Jurisdiction	At intake or referral	At filing of petition or complaint	At adjudication of petition	At disposition of juvenile	Age at which juvenile jurisdiction transfers to adult courts
ILLINOIS:						
Circuit Court	G		X		X	17 (15 for first degree murder, aggravated criminal sexual assault, armed robbery, robbery with a firearm, and unlawful use of weapons on school grounds)
INDIANA:						
Superior Court and Circuit Court	G		X	X		18
Probate Court	L		X	X		18
IOWA:						
District Court	G		X	Disposition data are not collected		18
KANSAS:						
District Court	G		X		X	18 14 (for traffic violation) 16 (for fish and game or charged with felony with two prior juvenile adjudications, which would be considered a felony)
KENTUCKY:						
District Court	L		X	X		18
LOUISIANA:						
District Court	G		X	X		17
Family Court and Juvenile Court	G		X	X		15 (for first and second degree murder, manslaughter, and aggravated rape)
City Court	L		X	X		16 (for armed robbery, aggravated burglary, and aggravated kidnapping)
MAINE:						
District Court	L		X		X	18
MARYLAND:						
Circuit Court	G		X		X	18
District Court	L		X		X	18

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FIGURE E: Juvenile unit of count used in state trial courts, 1988. (continued)

State/Court name:	Jurisdiction	Filings are counted		Disposition counted		Age at which juvenile jurisdiction transfers to adult courts
		At intake or referral	At filing of petition or complaint	At adjudication of petition	At disposition of juvenile	
MASSACHUSETTS:						
Trial Court of the Commonwealth:	G					
District Court Dept.			X	X		17
Juvenile Court Dept.			X	X		17
MICHIGAN:						
Probate Court	L		X		X	17
MINNESOTA:						
District Court	G		X	X		18
MISSISSIPPI:						
County Court	L		X	X		
Family Court	L		X	X		
MISSOURI:						
Circuit Court	G		X	X		17
MONTANA:						
District Court	G		X		X	18
NEBRASKA:						
Separate Juvenile Court	L		X		X	18
County Court	L		X		X	18
NEVADA:						
District Court	G		Varies by District		Varies by District	18*
NEW HAMPSHIRE:						
District Court	L		X		X	18 16 (for traffic violation) 15 (for some felony charges)
NEW JERSEY:						
Superior Court	G	X		X		18
NEW MEXICO:						
District Court	G		X	X		18
NEW YORK:						
Family Court	L		X		X	16 13 (for murder and kidnapping)
NORTH CAROLINA:						
District Court	L (first filing only)		X	X		16
NORTH DAKOTA:						
District Court	G		X		X	18

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FIGURE E: Juvenile unit of count used in state trial courts, 1988. (continued)

		Filings are counted		Disposition counted		
State/Court name:	Jurisdiction	At intake or referral	At filing of petition or complaint	At adjudication of petition	At disposition of juvenile	Age at which juvenile jurisdiction transfers to adult courts
OHIO:						
Court of Common Pleas	G	X (warrant)			X	18
OKLAHOMA:						
District Court	G		X (case number)	X		18
OREGON:						
Circuit Court	G		X	Dispositions are not counted		18
County Court	L		X			18
PENNSYLVANIA:						
Court of Common Pleas	G	X		X		18
PUERTO RICO:						
Superior Court	G		X	X		18
RHODE ISLAND:						
Family Court	L		X	X		18
SOUTH CAROLINA:						
Family Court	L		X	X		17
SOUTH DAKOTA:						
Circuit Court	G	X		X		18
TENNESSEE:						
General Sessions Court	L	X			X	18
Juvenile Court	L	X			X	18
TEXAS:						
District Court	G		X		X	17
County Court at Law, Constitutional County Court, Probate Court	L		X		X	17
UTAH:						
Juvenile Court	L		X		X	18
VERMONT:						
District Court	G		X		X	16
VIRGINIA:						
District Court	L		X		X	18
WASHINGTON:						
Superior Court	G		X (dependency)	X (delinquency)	X	18
WEST VIRGINIA:						
Circuit Court	G		X		X	18
WISCONSIN:						
Circuit Court	G		X	X		18

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FIGURE E: Juvenile unit of count used in state trial courts, 1988. (continued)

State/Court name:	Jurisdiction	Filings are counted At intake or referral	At filing of petition or complaint	Disposition counted At adjudication of petition	At disposition of juvenile	Age at which juvenile jurisdiction transfers to adult courts
WYOMING:						
District Court	G		X	X		19

JURISDICTION CODES:

G = General jurisdiction court.
L = Limited jurisdiction court.

FOOTNOTES

*District of Columbia–Depending on the severity of the offense a juvenile between the ages of 16-18 can be charged as an adult.

*Nevada–Unless certified at a younger age because of felony charged.

Source: The 1988 State Trial Court Jurisdiction Guide profiles, updated and verified by State Administrative Offices of the Courts.

FIGURE F: State Trial Courts with Incidental Appellate Jurisdiction, 1988

State/Court name:	Jurisdiction	Administrative Agency Appeals	Trial Court Appeals		Type of Appeal	Source of Trial Court Appeal
			Civil	Criminal		
ALABAMA:						
Circuit Court	G	X	X	X	de novo	District, Probate, and Municipal Courts
ALASKA:						
Superior Court	G	X	O	O	de novo	
		O	X	X	on the record	District Court
ARIZONA:						
Superior Court	G	X	X	X	de novo (if no record)	Justice of the Peace, Municipal Court
ARKANSAS:						
Circuit Court	G	O	X	X	de novo	Court of Common Pleas, County, Municipal, City, and Police Courts and Justice of the Peace
CALIFORNIA:						
Superior Court	G	X	X	X	de novo on the record	Justice Court, Municipal Court
COLORADO:						
District Court	G	X	X	O	on the record	County and Municipal Court of Record
		O	O	X	de novo	County and Municipal Court of Record
County Court	L	O	X	X	de novo	Municipal Court Not of Record
CONNECTICUT:						
Superior Court	G	X	X	O	de novo or on the record	Probate Court
DELAWARE:						
Superior Court	G	O	X	X	de novo	Municipal Court of Wilmington, Alderman's, and Justice of Peace Courts
		X	X	X	on the record	Superior Court, Court of Common Pleas
DISTRICT OF COLUMBIA:						
Superior Court	G	X	O	O	on the record	Office of Employee Appeals, Administrative Traffic Agency
FLORIDA:						
Circuit Court	G	O	X	O	de novo on the record	County Court
		O	O	X	on the record	County Court

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FIGURE F: State trial courts with incidental appellate jurisdiction, 1988. (continued)

State/Court name:	Jurisdiction	Administrative Agency Appeals	Trial Court Appeals		Type of Appeal	Source of Trial Court Appeal
			Civil	Criminal		
GEORGIA: Superior Court	G	X	X	O	de novo or on the record (varies by county)	Probate Court, Magistrate Court
		O	O	X	de novo, on the record, (Probate varies) certiorari (Magistrate only)	Probate Court Municipal Court Magistrate Court
HAWAII: Circuit Court	G	X	O	O	de novo	
IDAHO: District Court	G	X	X (small claims only)	X	de novo	Magistrates Division
		O	X	O	on the record	Magistrates Division
ILLINOIS: Circuit Court	G	X	O	O	on the record	
INDIANA: Superior Court and Circuit Court	G	X	X	X	de novo	City and Town Courts
Municipal Court of Marion County	L	O	X	O	de novo	Small Claims Court of Marion County
IOWA: District Court	G	X	O	O	de novo	
		O	X	X	on the record	Magistrates Division
KANSAS: District Court	G	X	X	X	de novo	Municipal Court
KENTUCKY: Circuit Court	G	X	X	X	on the record	District Court
LOUISIANA: District Court	G	X	X	X	de novo on the record	City and Parish, Justice of the Peace, Mayor's Courts
MAINE: Superior Court	G	X	X	X	on the record	District Court, Administrative Court
MARYLAND: Circuit Court	G	X	O	O	de novo, on the record	
		X	X	X	de novo, first instance	District Court
MASSACHUSETTS: Superior Court Department	G	X	X	O	de novo, on the record	Other departments
District Court Department and Boston Municipal Court	G	X	X	X	de novo, first instance	Other departments

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FIGURE F: State trial courts with incidental appellate jurisdiction, 1988. (continued)

State/Court name:	Jurisdiction	Administrative Agency Appeals	Trial Court Appeals Civil	Trial Court Appeals Criminal	Type of Appeal	Source of Trial Court Appeal
MICHIGAN: Circuit Court	G	X	X	X	de novo	Municipal Court
		O	X	O	on the record	District, Municipal, and Probate Courts
MINNESOTA: District Court	G	O				
MISSISSIPPI: Circuit Court Courts	G	X	X	X	on the record	County and Municipal
Chancery Court	G	X	X	X	on the record	Commission
MISSOURI: Circuit Court	G	X	O	O	on the record	
		X	X	O	de novo	Municipal Court, Associate Divisions
MONTANA: District Court	G	X	X	O	de novo and on the record	Justice of Peace Municipal, and City Courts, and State Boards
		O	O	X	de novo	
NEBRASKA: District Court	G	X	O	O	de novo on the record	
		O	X	X	on the record	County Court
NEVADA: District Court	G	X	X	X	de novo on the record	Justice Court
		O	O	X	de novo	Municipal Court
NEW HAMPSHIRE: Superior Court	G	X	O	X	de novo	District, Municipal, Probate Courts
NEW JERSEY: Superior Court	G	O	O	X	de novo on the record	Municipal Court
NEW MEXICO: District Court	G	X	X	X	de novo	Magistrate, Probate, Municipal and Bernalillo County Metropolitan Courts
NEW YORK: County Court	G	O	X	X	on the record	City, Town and Village Justice Courts
NORTH CAROLINA: Superior Court	G	X	O	X	de novo	District Court
		X	O	O	de novo on the record	
		X	O	O	on the record	

(continued on next page)

FIGURE F: State trial courts with incidental appellate jurisdiction, 1988. (continued)

			Trial Court Appeals			
State/Court name:	Jurisdiction	Administrative Agency Appeals	Civil	Criminal	Type of Appeal	Source of Trial Court Appeal
NORTH DAKOTA:						
District Court	G	X	O	O	Varies	
County Court	L	O	X	X	de novo	Municipal Court
OHIO:						
Court of Common Pleas	G	X	O	O	de novo and on the record	
County Court	L	O	O	X	de novo	Mayor's Court
Municipal Court	L	O	O	X	de novo	Mayor's Court
Court of Claims	L	X	O	O	de novo	
OKLAHOMA:						
District Court	G	X	O	X	de novo on the record	Municipal Court Not of Record
Court of Tax Review	L	X	O	O	de novo on the record	
OREGON:						
Circuit Court	G	X	X	X	on the record	County Court, Municipal Court (in counties with no District Court) Justice Court (in counties with no District Court)
Tax Court	G	X	O	O	on the record	
PENNSYLVANIA:						
Court of Common Pleas	G	X	X	O	on the record	limited jurisdiction courts
		O	O	X	de novo	
PUERTO RICO:						
Superior Court	G	O	X	X	–	District Court
RHODE ISLAND:						
Superior Court	G	X	O	O	on the record	
		O	X	X	de novo	District, Municipal, and Probate Courts
District Court	L	X	O	O	on the record	
SOUTH CAROLINA:						
Circuit Court	G	X	X	X	de novo on the record	Magistrate, Probate, and Municipal Courts
SOUTH DAKOTA:						
Circuit Court	G	X	O	O	de novo and on the record	
		O	X	X	de novo	Magistrates Division
TENNESSEE:						
Circuit, Chancery, and Criminal Courts	G	X	X	X	de novo	General Sessions, Probate, Municipal, and Juvenile Courts

(continued on next page)

FIGURE F: State trial courts with incidental appellate jurisdiction, 1988. (continued)

State/Court name:	Jurisdiction	Administrative Agency Appeals	Trial Court Appeals		Type of Appeal	Source of Trial Court Appeal
			Civil	Criminal		
TEXAS:						
District Court	G	X	O	O	de novo and de novo on the record	
County-Level Courts	L	O	X	X	de novo	Municipal and Justice of the Peace Courts
UTAH:						
District Court	G	X	O	O		
		O	O	O		
VERMONT:						
Superior Court	G	X	X	O	de novo on the record	District Court, Probate Court
VIRGINIA:						
Circuit Court	G	X	O	O	on the record	
		O	X	X	de novo	District Court
WASHINGTON:						
Superior Court	G	X	X	X	de novo on the record	District and Municipal Courts
WEST VIRGINIA:						
Circuit Court	G	X	O	O	on the record	
		O	X	X	de novo	Magistrate Court
WISCONSIN:						
Circuit Court	G	O	X	X (first offense DWI/DUI only)	de novo	Municipal Court
		X	X	X (first offense DWI/DUI only)	on the record	Municipal Court
WYOMING:						
District Court	G	X	X	X	de novo on the record	limited jurisdiction courts

JURISDICTION CODES:

G = General jurisdiction court.
L = Limited jurisdiction court.
– = Information not available.

Definitions of types of appeal:

de novo:	An appeal from one trial court to another trial court that results in a totally new set of proceedings and a new trial court judgment.
de novo on the record:	An appeal from one trial court to another trial court that is based on the record and results in a new trial court judgment.
on the record:	An appeal from one trial court to another trial court in which procedural challenges to the original trial proceedings are claimed, and an evaluation of those challenges are made--there is not a new trial court judgment on the case.

Source: Data were gathered from the 1988 State Trial Court Jurisdiction Guide profiles and State Administrative Offices of the Courts.

FIGURE G: Number of Judges/Justices in the State Courts, 1988

State:	Court(s) of last resort	Intermediate appellate court(s)	General jurisdiction court(s)	Limited jurisdiction court(s)
Alabama	9	8	124	817 (includes 416 mayors)
Alaska	5	3	30	79 (includes 61 magistrates)
Arizona	5	18	101	251 (includes 84 justices of the peace, 56 part-time judges)
Arkansas	7	6	67	279
California	7	88	838 (includes 113 commissioners or referees)	776 (includes 134 commissioners and referees)
Colorado	7	13	124 (includes 3 referees)	342
Connecticut	7	9	155 (includes the 16 appellate justices/judges)	132
Delaware	5	–	20 (includes 1 chancellor and and 4 vice-chancellors)	93 (includes 53 justices of the peace, 1 chief magistrate, 18 aldermen, 1 part-time judge)
District of Columbia	9	–	51	–
Florida	7	46	372	228
Georgia	7	9	137	1,124 (includes 88 part-time judges, 159 chief magistrates, 267 magistrates, an unknown number of magistrates are part-time)
Hawaii	5	3	32 (includes 8 Family Court judges)	57 (includes 35 per diem judges)
Idaho	5	3	104 (includes 63 lawyer and 8 non-lawyer magistrates)	–
Illinois	7	43 (includes 9 supplemental judges)	810	–
Indiana	5	13	219	137
Iowa	9	6	300 (includes 158 part-time magistrates)	–
Kansas	7	10	216 (includes 70 district magistrate judges)	314
Kentucky	7	14	91	125
Louisiana	7	52	192	706 (includes 384 justices of the peace, 250 mayors)
Maine	7	–	16	42 (includes 16 part-time judges)
Maryland	7	13	109	157
Massachusetts	7	14	320	–
Michigan	7	18	197	360
Minnesota	7	13	230*	–*
Mississippi	9	–	79	482 (includes 165 mayors, 191 justices of the peace)
Missouri	7	32	303	362
Montana	7	–	41	164 (includes 34 justices of the peace that also serve on the city court)
Nebraska	7	–	48	69
Nevada	5	–	39	88

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FIGURE G: Number of judges/justices in the state courts, 1988. (continued)

State:	Court(s) of last resort	Intermediate appellate court(s)	General jurisdiction court(s)		Limited jurisdiction court(s)	
New Hampshire	5	–	25		96	(includes 4 part-time judges)
New Jersey	7	28	349		377	(includes 348 part-time judges)
New Mexico	5	7	59		183	(includes 2 part-time judges)
New York	7	62	484		2,690	(includes 76 surrogates, 1,985 justices of the peace)
North Carolina	7	12	174	(includes 100 clerks who hear uncontested probate)	791	(includes 640 magistrates of which approximately 100 are part-time)
North Dakota	5	3[*]	27		157	
Ohio	7	59	344		950	(includes 690 mayors)
Oklahoma	12	12	208		379	(includes unknown number of part-time judges)
Oregon	7	10	88		227	(includes 34 justices of the peace)
Pennsylvania	7	24	341		571	(includes 538 justices of the peace and 5 magistrates)
Puerto Rico	7	–	95		161	(includes 10 special judges)
Rhode Island	5	–	20		79	
South Carolina	5	6	51	(includes 20 masters-in-equity)	657	(includes 315 magistrates)
South Dakota	5	–	193	(includes 10 part-time lay magistrates, 18 law magistrates, 86 full-time magistrate/clerks, 44 part-time lay magistrate/clerks)	–	
Tennessee	5	21	132	(includes 35 chancellors)	360	(includes 11 part-time judges)
Texas	18	80	385		2,530	(includes 922 justices of the peace)
Utah	5	7	29		189	(includes 140 justices of the peace)
Vermont	5	–	25		19	(part-time)
Virginia	7	10	122		181	
Washington	9	16	136		202	(115 part-time)
West Virginia	5	–	60		278	(includes 156 magistrates and 122 part-time judges)
Wisconsin	7	13	208		194	(includes 191 part-time judges)
Wyoming	5	–	17		108	(includes 14 justices of the peace)
Total	354	804	8,937		18,563	

– = The state does not have a court at the indicated level.

NOTE: This table identifies, in parentheses, all individuals who hear cases but are not titled judges/justices. Some states may have given the title "judge" to officials who are called magistrates, justices of the peace, etc., in other states.

FOOTNOTES

[*] Minnesota--General jurisdiction and limited jurisdiction courts were consolidated in 1987.

[*] North Dakota--Court of Appeals effective July 1, 1987 through January 1, 1990, a temporary Court of Appeals was established to exercise appellate and original jurisdiction as delegated by the Supreme Court.

Source: Data were gathered from the 1988 State Trial and Appellate Court statistical profiles.

FIGURE H: Method of Counting Civil Cases in State Trial Courts, 1988

State/Court name:	Jurisdiction	Are reopened cases counted as new filings, or identified separately as reopened cases?	Qualifications or Conditions	Are enforcement/collection proceedings counted? If yes, are they counted separately from new case filings?	Are temporary injunctions counted? If yes, are they counted separately from new case filings?
ALABAMA:					
Circuit Court	G	New filing		Yes/No	Yes/No
District Court	L	New filing		No	Yes/No
ALASKA:					
Superior Court	G	Reopened		No	No
District Court	L	Reopened		No	No
ARIZONA:					
Superior Court	G	Reopened		No	Yes/No
Justice of the Peace Court	L	Reopened		No	Yes/No
ARKANSAS:					
Circuit Court	G	Reopened		No	No
Chancery and Probate Court	G	Reopened		No	No
CALIFORNIA:					
Superior Court	G	Reopened	Retried cases	No	No
Municipal Court	L	Reopened	Retried cases	No	NA
Justice Court	L	Reopened	Retried cases	No	NA
COLORADO:					
District Court	G	Reopened	Post Activities	No	No
Water Court	G	Reopened	Post Activities	No	No
County Court	L	Reopened	Post Activities	No	No
Municipal Court	L	NA		NA	NA
CONNECTICUT:					
Superior Court	G	New filing if heard separately (rarely occurs)		No	No
DELAWARE:					
Court of Chancery	G	Reopened		No	No
Superior Court	G	New filing Reopened	If remanded Case rehearing	No	Yes/No
Justice of the Peace Court	L	Rarely occurs		No	Yes/No
Family Court	L	New filing is heard separately Reopened - if rehearing of total case	If part of original proceeding	No	No
Court of Common Pleas	L	New filing Reopened	If remanded Rehearing	No	No
Alderman's Court	L	New filing Reopened	If remanded Rehearing	No	No
DISTRICT OF COLUMBIA:					
Superior Court	G	Reopened		Yes/Yes	Yes/Yes
FLORIDA:					
Circuit Court	G	Reopened		Yes/No	Yes/No
County Court	L	Reopened		Yes/No	Yes/No

(continued on next page)

FIGURE H: Method of counting civil cases in state trial courts, 1988. (continued)

State/Court name:	Jurisdiction	Are reopened cases counted as new filings, or identified separately as reopened cases?	Qualifications or Conditions	Are enforcement/ collection proceedings counted? If yes, are they counted separately from new case filings?	Are temporary injunctions counted? If yes, are they counted separately from new case filings?
GEORGIA:					
Superior Court	G	New filing		Yes	No
Civil Court	L	NC		NA	No
State Court	L	New filing		Yes	No
Probate Court	L	New filing		NA	No
Magistrate Court	L	New filing		Yes	No
Municipal Court	L	NC		NA	No
HAWAII:					
Circuit Court	G	Reopened	Supplemental proceedings	Yes/Yes Special proceedings	Yes/Yes Circuit Court: Special Proceedings
Family Court	G	New filing	Yes/Yes		Yes/Yes
District Court	L	Reopened	Supplemental proceedings	No	Yes/No (included as new case filing)
IDAHO:					
District Court	G	Reopened		Yes/No	No
ILLINOIS:					
Circuit Court	G	Reopened		No	No
INDIANA:					
Superior Court	G	Reopened	Redocketed	No	No
Circuit Court	G	Reopened	Redocketed	No	No
County Court	L	Reopened	Redocketed	No	No
Municipal Court of Marion County	L	Reopened	Redocketed	No	No
City Court	L	NA	NA	NA	N/A
Small Claims Court of Marion County	L	NA	NA	NA	NA
IOWA:					
District Court	G	New filing		Yes/No	No
KANSAS:					
District Court	G	Reopened		No	Yes/No
KENTUCKY:					
Circuit Court	G	Reopened		No	Yes/Yes
District Court	L	Reopened		No	Yes/Yes
LOUISIANA:					
District Court	G	Reopened	As action on open case	Yes/Yes	Yes/No
Juvenile Court	G	Reopened	As action on open case	Yes/Yes	No
Family Court	G	Reopened	As action on open case	No	No
City & Parish Courts	L	New filing	As action on open case	Yes/No	No
MAINE:					
Superior Court	G	New filing		No	Yes/No
District Court	L	NC		No	No
Probate Court	L	NC		No	No

(continued on next page)

FIGURE H: Method of counting civil cases in state trial courts, 1988. (continued)

State/Court name:	Jurisdiction	Are reopened cases counted as new filings, or identified separately as reopened cases?	Qualifications or Conditions	Are enforcement/collection proceedings counted? If yes, are they counted separately from new case filings?	Are temporary injunctions counted? If yes, are they counted separately from new case filings?
MARYLAND:					
Circuit Court	G	New filing		No	NA
District Court	L	NA		NA	Yes/No
MASSACHUSETTS:					
Trial Court of the Commonwealth					
Superior Court Dept.	G	NC		NA	Yes/Yes
District Court Dept.	G	NC		Yes/Yes	NA
Boston Municipal Court Dept.	G	NC		Yes/Yes	NA
Housing Court Dept.	G	NC		Yes/Yes	NA
Land Court Dept.	G	NC		N/Applicable	NA
MICHIGAN:					
Court of Claims	G	Reopened		No	No
Circuit Court	G	Reopened		No	No
District Court	L	NA		NA	NA
Municipal Court	L	NA		NA	NA
MINNESOTA:					
District Court	G	Identified separately		No	No
MISSISSIPPI:					
Circuit Court	G	NA		NA	NA
Court of Chancery	G	NA		NA	NA
MISSOURI:					
Circuit Court	G	New filings		Yes/No	Yes/No
MONTANA:					
District Court	G	Reopened		Yes/Yes	Yes/No
Justice of the Peace Court	L	NA		NA	NA
Municipal Court	L	NA		NA	NA
City Court	L	NA		NA	NA
NEBRASKA:					
District Court	G	Reopened		No	No
County Court	L	Reopened		No	No
NEVADA:					
District Court	G	Reopened	May not be reopened but refers back to original case	Varies/Varies	Varies
NEW HAMPSHIRE:					
Superior Court	G	Reopened		No	No
District Court	L	NC		No	No
Municipal Court	L	NC		No	No
NEW JERSEY:					
Superior Court: Civil, Family, General Equity, and Criminal Divisions	G	Reopened		Yes/Yes	Yes/No (except for domestic violence)

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FIGURE H: Method of counting civil cases in state trial courts, 1988. (continued)

State/Court name:	Jurisdiction	Are reopened cases counted as new filings, or identified separately as reopened cases?	Qualifications or Conditions	Are enforcement/ collection proceedings counted? If yes, are they counted separately from new case filings?	Are temporary injunctions counted? If yes, are they counted separately from new case filings?
NEW MEXICO:					
District Court	G	Reopened		Yes/Yes	No
Magistrate Court	L	Reopened		No	No
Metropolitan Court of Bernalillo County	L	Reopened		No	No
NEW YORK:					
Supreme Court	G	Reopened		Yes/No	Yes/No
County Court	L	NC		No	No
Court of Claims	L	NC		No	No
Family Court	L	Reopened		Yes/No	No
District Court	L	NC		No	No
City Court	L	NC		No	No
Civil Court of the City of New York	L	NC		No	No
Town & Village Justice Court	L	NC		No	No
NORTH CAROLINA:					
Superior Court	G	NC		No	No
District Court	L	NC		Yes/No	No
NORTH DAKOTA:					
District Court	G	New filing		Yes/Yes (only counted if a hearing was held)	Yes/Yes
County Court	L	New filing		No	No
OHIO:					
Court of Common Pleas	G	Reopened		Yes/No (are counted separately in domestic relations cases)	Yes/No
Municipal Court	L	Reopened		No	No
County Court	L	Reopened		No	No
Court of Claims	L	NA		NA	NA
OKLAHOMA:					
District Court	G	Reopened		No	No
OREGON:					
Circuit Court	G	Reopened		Yes/No	Yes/No
Justice Court	L	NA		NA	NA
Municipal Court	L	NA		NA	NA
District Court	L	Reopened		NA	NA
PENNSYLVANIA:					
Court of Common Pleas	G	Reopened		No	No
District Justice Court	L	New filing		NA	NA
PUERTO RICO:					
Superior Court	G	New filing		Yes/No	NA
District Court	L	New filing		Yes/No	NA
RHODE ISLAND:					
Superior Court	G	Reopened		No	Yes/No
District Court	L	Reopened		No	Yes/Yes
Family Court	L	Reopened		No	Yes/Yes
Probate Court	L	NA		NA	NA

(continued on next page)

FIGURE H: Method of counting civil cases in state trial courts, 1988. (continued)

State/Court name:	Jurisdiction	Are reopened cases counted as new filings, or identified separately as reopened cases?	Qualifications or Conditions	Are enforcement/collection proceedings counted? If yes, are they counted separately from new case filings?	Are temporary injunctions counted? If yes, are they counted separately from new case filings?
SOUTH CAROLINA:					
Circuit Court	G	New filing		No	No (Permanent injunctions are counted as a new filing)
Family Court	L	New filing		No	No
Magistrate Court	L	New filing		No	No
Probate Court	L	New filing		No	No
SOUTH DAKOTA:					
Circuit Court	G	NC		No	Yes/No
TENNESSEE:					
Circuit Court	G	Reopened	(Varies based on local practice)		(Varies based on local practice)
Chancery Court	G	Reopened	(Varies based on local practice)		(Varies based on local practice)
General Sessions Court	L	Reopened	(Varies based on local practice)		(Varies based on local practice)
TEXAS:					
District Court	G	Reopened		No	No
Constitutional County Court	L	Reopened		No	No
County Court at Law	L	Reopened		No	No
Justice Court	L	New filing		No	No
UTAH:					
District Court	G	NC	(called - abstract of judgment filed)	No	Yes/Yes
Circuit Court	L	NC		No	Yes/Yes
Justice Court	L	NC		No	Yes/Yes
VERMONT:					
Superior Court	G	NC		No	Yes/No
District Court	G	NC		No	Yes/No
Probate Court	L	NC		No	N/A
VIRGINIA:					
Circuit Court	G	Reopened	Reinstated cases	Yes/Yes	Yes/No
District Court	L	New filing		Yes/No	No
WASHINGTON:					
Superior Court	G	Reopened		No	Yes/No
Municipal Court	L	New filing		NA	NA
District Court	L	New filing		Yes/No	NA
WEST VIRGINIA:					
Circuit Court	G	NC		No	Yes
Magistrate Court	L	New filing		No	N/Applicable
WISCONSIN:					
Circuit Court	G	New filing	Identified with R suffix, but included in total count	No	Yes/Yes
WYOMING:					
District Court	G	Reopened		No	No
Justice of the Peace Court	L	Reopened		NA	NA
County Court	L	Reopened		NA	NA

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FIGURE H: Method of counting civil cases in state trial courts, 1988. (continued)

JURISDICTION CODES:

G	- General Jurisdiction Court
L	- Limited Jurisdiction Court
NA	- Information is not available
NC	- Information is not collected/counted
N/Applicable	- Civil casetypes heard by this court are not applicable to this figure.

Source: The 1988 State Trial Court Jurisdiction Guide profiles, as updated and verified by State Administrative Offices of the Courts.

Appendices

Appendix A
Methodology

Methodology

Court Statistics Project: Goals and Organization

The Court Statistics Project of the National Center for State Courts compiles and reports comparable court caseload data from the 50 states, the District of Columbia, and Puerto Rico and encourages greater uniformity in how individual state courts and state administrative court offices collect and publish caseload information. Progress toward these goals should result in more meaningful and useful caseload information at the disposal of judges, court managers, and state court administrators.

The *State Court Caseload Statistics* series is a cooperative effort of the Conference of State Court Administrators (COSCA) and the National Center for State Courts (NCSC). Responsibility for Project management and staffing is assumed by the NCSC's Court Statistics Project, formerly called the National Court Statistics Project (1977-83) and the Court Statistics and Information Management Project (1983-87). COSCA, through its Court Statistics Committee, provides policy guidance and review for the Project. The Court Statistics and Technology Committee is composed of representatives from COSCA, COSCA's staff, the National Conference of Appellate Court Clerks, the National Association for Court Management, and a representative from the academic research community. The preparation of the 1988 caseload report was funded by a grant from the State Justice Institute (SJI-88-O7X-067) to the NCSC.

In addition to preparing publications, the Court Statistics Project responds to about 500 requests for information and assistance each year. These requests can be grouped into four basic categories: requests for caseload data, requests for court jurisdictional information, requests for information on data collection and reporting procedures, and requests for statistical analysis of the caseload data. The requests come from a variety of sources, including state administrative offices of the courts, local courts, individual justices and judges, federal agencies, legislators, the media, academic researchers, and NCSC staff. The composition of the requests received by the Project is taken into consideration when topics are selected for emphasis in the caseload statistics report series.

Evolution of the Court Statistics Project

During compilation of the *State of the Art* and the *1975 State Court Caseload Statistics: Annual Report*, the Court Statistics Project's original data compilation efforts, classification problems arose from the multitude of categories and terms used by the states to report their caseloads.[1] This suggested the need for a model annual report and a statistical dictionary of terms for court usage.

The *State Court Model Annual Report* outlines the basic management data that should, at a minimum, be included in state court annual reports.[2] *The State Court Model Statistical Dictionary* provides common terminology, definitions, and usage for reporting appellate and trial court caseload inventory. Terms for use in reporting data on the method of case disposition are also provided in the dictionary and in other Project publications.[3] The classification structure and definitions serve as model framework for the purpose of developing comparable and useful data. A new edition of the *State Court Model Statistical Dictionary* was published in 1989, consolidating and revising the original 1980 version and the 1984 *Supplement*.

The *Court Case Management Information Systems Manual*, which was produced jointly with the State Judicial Information Systems Project, is another publication through which the Court Statistics Project seeks to enhance the usefulness of court statistics.[4] This manual provides a methodology for building court information systems that provide the data needed for both daily court operations and long-term case management, resource allocation, and strategic planning.

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[1] National Court Statistics Project, National Center for State Courts, *State Court Caseload Statistics: The State of the Art* (Washington, D.C.: U.S. Government Printing Office, 1978).

[2] National Court Statistics Project, National Center for State Courts, *State Court Model Annual Report* (Williamsburg, VA: National Center for State Courts, 1980).

[3] National Court Statistics Project, National Center for State Courts, *State Court Model Statistical Dictionary* (Washington, D.C.: U.S. Government Printing Office, 1980); *Supplement* (Williamsburg, VA: National Center for State Courts, 1984).

[4] Clifford and Jensen, *Court Case Management Information Systems Manual* (Williamsburg, VA: National Center for State Courts, 1983).

Once a set of recommended terms was adopted, the focus shifted to assessing the comparability of caseload data as reported by the courts to those terms. It became particularly important to detail the subject matter jurisdiction and methods of counting cases in each state court. This effort was undertaken in two stages. The first stage addressed problems related to the categorizing and counting of cases in the trial courts and resulted in the *1984 State Trial Court Jurisdiction Guide for Statistical Reporting*.[5] Information from the jurisdiction guide was incorporated into the caseload database for 1981 and is updated annually.

The second stage involved preparation of the *1984 State Appellate Court Jurisdiction Guide for Statistical Reporting*, which was used to compile the 1984 appellate court database.[6] The introduction to the 1981 report contains a complete description of the impact of the *Trial Court Jurisdiction Guide* on the Court Statistics Project data collection and the introduction of the 1984 report provided a complete description of the impact of the *Appellate Court Jurisdiction Guide*.

Much of the court jurisdiction information contained in the 1987 report is the result of research done for *State Court Organization, 1987*, another Project publication. *State Court Organization, 1987* is a source book which describes the organization and management of state appellate and trial courts.[7]

The first caseload report presented 1975 caseload data for state appellate courts, trial courts of general jurisdiction, and for selected categories (juvenile, domestic relations, probate, and mental health) in limited jurisdiction courts. The second report (1976) again presented available data for appellate courts and courts of general jurisdiction and also included all available caseload data for limited jurisdiction courts. The 1979 and 1980 reports eliminated repetitiveness in the summary tables and reorganized the data in the summary tables based on completeness and comparability. The 1981 volume, incorporating the reporting structure detailed in the *1984 Trial Court Jurisdiction Guide*, organized the caseload data by comparable jurisdictions. In order to make the series current with the publication of the 1984 volume, the Court Statistics Project did not publish caseload data for 1982 and 1983.

Sources of Data

Information for the national caseload databases comes from published and unpublished sources supplied by state court administrators and appellate court clerks. The published data are usually found in official state annual reports. State annual reports assume a variety of forms and vary widely in detail. They represent the most reliable and valid data available at the state level. The data, however, are the product of statistical reports, often filed monthly or quarterly, from numerous local jurisdictions and, in most states, several trial court systems. The caseload statistics are used by the states to manage their own systems and are not prepared specifically for inclusion in the NCSC caseload statistics series.

Some states either do not publish an annual report or publish only limited caseload statistics for either trial or appellate courts. The Court Statistics Project receives unpublished data from those states in a wide range of forms, including internal management memos, computer generated output, and the Project's statistical and jurisdictional profiles, which were sent to state court administrative offices for updating.

Telephone contact and follow-up correspondence are used to collect missing data, confirm the accuracy of available data, and determine the legal jurisdiction of each court. Information is collected concerning the number of judges per court or court system (from annual reports, offices of state court administrators, and appellate court clerks); the state population (based on Bureau of the Census revised estimates);[8] and special characteristics regarding subject matter jurisdiction and court structure. Appendix B lists the source of each state's caseload statistics for 1988.

Data Collection Procedures

The following outline summarizes the major tasks involved in collecting the 1988 caseload data reported in this volume:

A. The 1988 state reports were evaluated to note changes in the categories and terminology used to report the data, changes in the range of available data, and changes in the state's court organization or jurisdiction. This process involved a direct comparison of the 1988 material with the contents of individual state 1987 annual reports. Project staff used a copy of each state's 1987 trial and appellate court statistical profile(s), trial and appellate court jurisdiction guides and the state court organization chart as worksheets for gathering the 1988 data. Use of the previous year's profiles provides the data collector with a reference point to identify and replicate the logic used in the 1987 data collection and ensure consistency over time in the report series. The caseload data were then taken from the state caseload report and entered onto the 1988 profiles. The caseload terminology used on the profiles are defined in the statistical dictionary. Prototypes of the appellate and trial court statistical profiles can be found in Appendix C.

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[5] Clifford and Roper, *Trial Court Jurisdiction Guide for Statistical Reporting* (Williamsburg, VA: National Center for State Courts, 1985).

[6] Roper, *1984 State Appellate Court Jurisdiction Guide for Statistical Reporting* (Williamsburg, VA: National Center for State Courts, 1985).

[7] Court Statistics Project, National Center for State Courts, *State Court Organization, 1987* (Williamsburg, VA: National Center for State Courts, 1988).

[8] U.S. Bureau of the Census, *Press Release*, CB 89–72, May 4, 1989.

B. Caseload numbers were screened for significant changes from the previous year. A formal record that documents, and, where possible, explains such changes is maintained. This process serves as another reliability check by identifying statutory, organizational, or procedural changes that potentially have an impact on court caseload. During the data collection process, a check is conducted to ensure compatibility between the information supplied on the jurisdiction guide profiles and the casetypes identified on the statistical profiles.

C. The data were then transferred from the handwritten copy to computer databases (codebooks are available upon request). The data entry program used (SPSS's Data Entry) automatically checks for certain data entry errors. The software allows the programmer to establish a range of acceptable values for each variable. If a value was entered that fell outside the parameters, SPSS will not incorporate the number within the database until several attempts were made to enter the value. After the data were entered, a batch error-detection program checked for other user-specified logic violations, usually through mathematical checks on the consistency of subtotals and totals. The reliability of the data collection and data entry process was verified through an independent review of all decisions made by the original data collector.

D. After the data were entered and checked for data entry errors and internal consistency, individual spreadsheets were generated for each state trial court system using EXCEL software. The spreadsheets replace the statistical profiles previously generated manually. The generation of appellate court statistical profiles will be automated during 1990.

E. Finally, the caseload tables in Part III and the smaller tables supporting the text of Part I were generated using either EXCEL spreadsheet or SPSSPC Report software. A special database was created to contain method of case disposition data for presentation in Part II of the report.

Variables

There are four basic types of data elements collected by the Court Statistics Project: (1) trial court caseload statistics, (2) trial court jurisdictional/organizational information, (3) appellate court caseload, and (4) appellate court jurisdictional/organizational information. An individual court profile is prepared for each of these data elements. These data collection instruments are approved by COSCA's Court Statistics and Technology Committee and consist of data elements defined in the *State Court Model Statistical Dictionary*.

There are four main trial court casetypes: civil, criminal, juvenile, and traffic/other violation. Each major casetype can be reduced to several specific caseload categories. For example, the civil casetype consists of tort, contract, real property rights, small claims, mental health, estate, and domestic relations cases. In some circumstances, these casetypes can be further refined; for example, domestic relations cases can be divided into marriage dissolution, URESA, support/custody, and adoption cases.

Currently, only filing and disposition numbers are entered into the database for each of these casetypes. Data on pending cases were routinely collected by the project until serious comparability problems were identified when compiling the 1984 caseload report. Some courts provided data that included active cases only, while others included active and inactive cases. The COSCA Court Statistics and Technology Committee recommended that the collection of pending caseload be deferred until a study determined whether the data can be made comparable across states.

The trial court jurisdictional profile collects an assortment of information relevant to the organization and jurisdiction of each trial court system. The main purpose of the profile is to translate the terminology used by the states when reporting statistical information into generic terms recommended by the *State Court Model Statistical Dictionary*. In addition, the profile collects information on the numbers of courts, the number of judges, methods of counting cases, the availability of jury trials, the dollar amount jurisdiction of the court, and the method of case disposition.

There are also statistical and jurisdiction guide profiles for each state appellate court. Two major casetypes are used on the statistical profile: mandatory cases (those cases that the court must hear on the merits—appeals of right) and discretionary petitions (those cases that the court has discretion on whether to accept and then reach a decision on the merits). The statistical profile also contains the number of petitions granted, although many states do not report this. Mandatory and discretionary cases are further differentiated by whether the case is a review of a final trial court judgment or some other matter, such as interlocutory or postconviction relief. Where possible, the statistics are classified according to subject matter, mainly civil, criminal, juvenile, disciplinary, and administrative agency appeal.

As with the trial court jurisdiction guide, the primary task of the appellate court guide is to translate the terminology and categories used by each state appellate court into the generic ones recommended by the *State Court Model Statistical Dictionary, 1989 Edition*. The guide also contains information about each court, including the number of court locations, the number of justices/judges, the number of legal support personnel, the point at which appeals are counted as a case, the procedures used to review discretionary petitions, and the use of panels.

Graphics as a Method of Displaying Caseload

The 1985 and 1986 caseload reports used maps to summarize the data presented in table form. The 1988 report also uses maps as a method of displaying information, however, their use is limited to summarizing court structure and jurisdictional information rather than caseload data.

The 1988 report uses pie charts and bar graphs to illustrate and summarize the caseload data presented in table form. The states are arranged by filing rate, from lowest to highest, so that a mid-point can be easily determined. The contents of each graph is limited to those states providing the relevant data to the Project. It is incorrect to conclude that a state omitted from the graph did not report caseload to the Project. The definitive statement of data availability can be found in the detailed caseload tables in Part III.

Footnotes

Footnotes indicate the degree to which a court's statistics conform to the Court Statistics Project reporting categories defined in the *State Court Model Statistical Dictionary*. Footnoted caseload numbers are either overinclusive in that they contain casetypes other than those defined for the term in the dictionary, or are underinclusive in that some casetypes defined for the term in the dictionary are not included. It is possible for a caseload number to contain inapplicable types, while omitting applicable ones, making the subtotal or total simultaneously overinclusive and underinclusive. The 1988 report introduces a simplified system of footnotes. An "A" footnote indicates that the caseload number for a statewide court system does not include some of the recommended case types; a "B" footnote indicates that the number includes some extraneous casetypes; a "C" footnote indicates that the number is both incomplete and overinclusive. The text of the footnote explains for each court system how the caseload numbers differ from the reporting category recommended in the *State Court Model Statistical Dictionary, 1989 Edition*. Caseload numbers that are not qualified by a footnote conform to the dictionary's definition.

Reported case filings and dispositions are also affected by the unit and method of count used by states, differing subject matter and dollar amount jurisdictions, and different court system structures. Most of these differences are described in the figures found in Part V of this volume and summarized in the court structure chart for each state in Part IV.

Variations in Reporting Periods

As indicated in Figure A (Part V), most states report data by fiscal year, others by calendar year, and a few appellate courts report data by court term. Therefore, the 12-month period covered in this report is not the same for all courts.

This report reflects court organization and jurisdiction in 1988. Since 1975, new courts have been created at both the appellate and trial level, new courts report data to the Court Statistics Project, courts may have merged, and changed counting or reporting methods. The dollar amount limits of civil jurisdiction in many trial courts also vary. Great care is therefore required when comparing the 1988 data to previous years. The trend analysis in Part I of this report offers a model for undertaking such comparisons.

Final Note

Finally, comments, corrections, and suggestions by readers are a vital part of the work of the Court Statistics Project and should be sent to the Director, Court Statistics Project, National Center for State Courts, 300 Newport Avenue, Williamsburg, Virginia, 23187-8798.

Appendix B
Sources of 1988 State Court Caseload Statistics

Sources of 1988 State Court Caseload Statistics

ALABAMA:

COLR, IAC, GJC, LJC: *Alabama Judicial System Annual Report 1988.*

ALASKA:

COLR, IAC, GJC, LJC: Administrative Director of the Courts, *Alaska Court System, 1988 Annual Report* (Anchorage, Alaska: 1989).

ARIZONA:

COLR, IAC, GJC, LJC: Administrative Director of the Courts, *The Arizona Courts, FY 88 Judicial Report* (Phoenix, Arizona: 1989).

Additional unpublished data were provided by the Administrative Director of the Courts.

ARKANSAS:

COLR, IAC, GJC, LJC; Executive Secretary of the Judicial Department, *Annual Report of the Judiciary of Arkansas, FY 87-88* (Little Rock, Arkansas: 1989).

CALIFORNIA:

COLR, IAC, GJC, LJC: Judicial Council of California, *1989 Annual Report, Judicial Council of California* (San Francisco, California: 1989).

COLORADO:

COLR, IAC, GJC, LJC: State Court Administrator, *Annual Report of the Colorado Judiciary 1987-88* and *Annual Report Statistical Appendix, Colorado Judiciary, July 1, 1987 to June 30, 1988* (Denver, Colorado: 1989).

CONNECTICUT:

COLR, IAC, GJC, LJC: *Biennial Report of the Connecticut Judicial Department, 1986-88* (Hartford, Connecticut: 1989). Additional unpublished data were provided by the Office of the Chief Court Administrator.

DELAWARE:

COLR, GJC, LJC: Administrative Director of the Courts, *1988 Annual Report of the Delaware Judiciary* (Wilmington, Delaware: 1989).

COLR = Court of last resort.
IAC = Intermediate appellate court.
GJC = General jurisdiction court.
LJC = Limited jurisdiction court

DISTRICT OF COLUMBIA:

COLR, GJC: Executive Office of the Courts, *1988 Annual Report, District of Columbia Courts* (Washington, D.C.: 1988). Additional unpublished data were provided by the Executive Officer.

FLORIDA:

COLR: Unpublished data were provided by the State Courts Administrator and Clerk of the Supreme Court.

IAC, GJC, LJC: Unpublished data were provided by the State Court Administrator.

GEORGIA:

COLR: Unpublished data were provided by the Clerk of the Supreme Court.

IAC: Unpublished data were provided by the Clerk of the Court of Appeals.

GJC: Unpublished data were provided by the Administrative Director of the Courts.

LJC: *Administrative Office of the Courts, Fifteenth Annual Report on the Work of the Georgia Courts (July 1, 1987-June 30, 1988*). Additional unpublished data were provided by the Administrative Director of the Courts.

HAWAII:

COLR, IAC: Administrative Director of the Courts, *The Judiciary, State of Hawaii: Annual Report 1988* and *Statistical Supplement, July 1, 1987 to June 30, 1988* (Honolulu, Hawaii: 1988).

GJC, LJC: Administrative Director of the Courts, *The Judiciary, State of Hawaii: Annual Report 1987-88* (Honolulu, Hawaii: 1988) and *Statistical Supplement July 1, 1987 to June 30, 1988.*

IDAHO:

COLR, IAC, GJC: Administrative Director of the Courts, *The Idaho Courts 1988 Annual Report Appendix* (Boise, Idaho: 1989).

ILLINOIS:

COLR, IAC: Unpublished data were provided by the Administrative Director of the Courts.

GJC: *Circuit Court Caseload Summaries* (Springfield, Illinois: 1988). Unpublished data on parking violations and housing violations for Cook County were provided by the Administrative Director of the Courts. In addition, published estimates for Circuit #18 and Cook County were replaced by the actual figures.

INDIANA:

COLR, IAC, GJC, LJC: Executive Director of the Division of State Court Administration, *1988 Indiana Judicial Report* (Indianapolis, Indiana: 1989).

IOWA:

COLR: State Court Administrator, *1988 Annual Statistical Report* (Des Moines, Iowa: 1989). Additional unpublished data were provided by the Clerk of the Supreme Court.

IAC: State Court Administrator, *1988 Annual Statistical Report* (Des Moines, Iowa: 1989). Additional unpublished data were provided by the Clerk of the Court of Appeals.

GJC: State Court Administrator, *1988 Annual Statistical Report* (Des Moines, Iowa: 1989).

KANSAS:

COLR, IAC, GJC: Judicial Administrator, *Annual Report of the Courts of Kansas: 1987-1988 Fiscal Year* (Topeka, Kansas: 1988).

LJC: *Municipal Court Caseload Report FY 1988 July 1, 1987 - June 30, 1988.*

KENTUCKY:

COLR: Unpublished data were provided by the Clerk of the Supreme Court.

IAC: Unpublished data were provided by the Clerk of the Court of Appeals.

GJC, LJC: Unpublished data were provided by the Administrative Director of the Courts.

LOUISIANA:

COLR: Unpublished data were provided by the Clerk of the Supreme Court.

IAC, GJC, LJC: Judicial Administrator, *1988 Annual Report of the Judicial Council of the Supreme Court of Louisiana* (New Orleans, Louisiana: 1989).

MAINE:

COLR, GJC, LJC: Unpublished data were provided by the State Court Administrator.

MARYLAND:

COLR, IAC, GJC, LJC: State Court Administrator, *Annual Report of the Maryland Judiciary 1987-88* (Annapolis, Maryland: 1988).

MASSACHUSETTS:

COLR: Unpublished data were provided by the Clerk of the Supreme Judicial Court.

IAC: Unpublished data were provided by the Clerk of the Appeals Court.

GJC: Chief Administrative Justice, *Annual Report of the Massachusetts Trial Court, 1988* (Boston, Massachusetts: 1989).

MICHIGAN:

COLR, IAC, GJC, LJC: State Court Administrator, *1988 Annual Report of the State Court Administrator* and *Statistical Supplement* (Lansing, Michigan: 1989).

MINNESOTA:

COLR, IAC, GJC, LJC: Unpublished data were provided by the State Court Administrator.

MISSISSIPPI:

COLR: Staff Attorney, *Mississippi Supreme Court Annual Report 1988* (Jackson, Mississippi: 1989).

GJC, LJC: No data were available for cases handled by these courts in 1988.

MISSOURI:

COLR, IAC, GJC: *Missouri Judicial Report Fiscal Year 1988.*

MONTANA:

COLR: Unpublished data were provided by the Court Administrator of the Supreme Court.

GJC: Unpublished data were provided by the State Court Administrator.

LJC: No data were available for cases handled by these courts in fiscal year 1988.

NEBRASKA:

COLR, GJC, LJC: State Court Administrator, *Nebraska Supreme Court 1988 Annual Report* (Lincoln, Nebraska: 1988).

NEVADA:

COLR: Unpublished data were provided by the Clerk of the Supreme Court.

GJC, LJC: Unpublished data were provided by the Administrative Director of Courts.

NEW HAMPSHIRE:

COLR: Unpublished data were provided by the Clerk of the Supreme Court.

GJC, LJC: Unpublished data were provided by the Director, Administrative Office of the Courts.

NEW JERSEY:

COLR: Unpublished data were provided by the Clerk of the Supreme Court.

IAC: Unpublished data were provided by the Clerk of the Court.

GJC, LJC: Unpublished data were provided by the Administrative Director, Administrative Office of the Courts.

NEW MEXICO:

COLR, IAC, GJC, LJC: Administrative Director, *The New Mexico Courts, 1988 Annual Report, State of New Mexico Judicial Branch* (Santa Fe, New Mexico: 1989).

NEW YORK:

COLR, IAC: Clerk of the Court, *1988 Annual Report of the Clerk of the Court, Court of Appeals of the State of New York* (New York: 1989). Additional unpublished data were provided by the Clerks of the Appellate Division and Appellate Terms of the Supreme Court.

GJC, LJC: Unpublished data were provided by the Chief Administrator of the Courts.

NORTH CAROLINA:

COLR, IAC, GJC, LJC: Administrative Director, Annual Report of the Administrative Office of the Courts, *North Carolina Courts, 1987-88 (Raleigh, North Carolina: 1989.*

NORTH DAKOTA:

COLR, GJC, LJC: State Court Administrator, *Annual Report of the North Dakota Judicial System, 1988* (Bismarck, North Dakota: 1989).

OHIO:

COLR, IAC, GJC, LJC: Administrative Director of the Supreme Court, *Ohio Courts Summary 1988* (Columbus, Ohio: 1989).

OKLAHOMA:

COLR: Administrative Director of the Courts, *State of Oklahoma, the Judiciary: Annual Report 1988* (Oklahoma City, Oklahoma: 1989). Additional unpublished data were provided by the Clerk of the Court of Criminal Appeals.

IAC, GJC, LJC: Administrative Director of the Courts, *State of Oklahoma, the Judiciary: Annual Report 1988* and *Statistical Appendix* (Oklahoma City, Oklahoma: 1989).

OREGON:

COLR, IAC, GJC, LJC: Unpublished data were provided by the State Court Administrator.

PENNSYLVANIA:

COLR, IAC, GJC, LJC: Unpublished data were provided by the State Court Administrator.

PUERTO RICO:

GJC, LJC: Unpublished data were provided by the Administrative Director of the Courts.

RHODE ISLAND:

COLR: Unpublished data were provided by the Clerk of the Supreme Court.

GJC, LJC: Unpublished data were provided by the State Court Administrator.

SOUTH CAROLINA:

COLR, IAC, GJC, LJC: Director of the Judicial Department, *South Carolina Judicial Department, Annual Report, 1988* (Columbia, South Carolina: 1989).

SOUTH DAKOTA:

COLR, GJC: State Court Administrator, *Benchmark 1988: Annual Report of the South Dakota Unified Judicial System* (Pierre, South Dakota: 1989).

TENNESSEE:

COLR, IAC, GJC, LJC: Unpublished data were provided by the Executive Secretary of the Supreme Court.

TEXAS:

COLR, IAC, GJC, LJC: Administrative Director of the Court, *Texas Judicial System Annual Report, September 1, 1987-August 31, 1988* (Austin, Texas: 1988).

UTAH:

COLR, GJC, LJC: Unpublished data were provided by the Clerk of the Supreme Court.

COLR: State Court Administrator, *Utah Courts Statistical Supplement 1985-87 Biennial Report* (Salt Lake City, Utah: 1989).

VERMONT:

COLR, GJC, LJC: Court Administrator, *Judicial Statistics for Year Ending June 30, 1988* (Montpelier, Vermont: 1988).

VIRGINIA:

COLR, IAC, GJC, LJC: Executive Secretary, Supreme Court, *Virginia State of the Judiciary Report 1988* (Richmond, Virginia: 1989).

WASHINGTON:

COLR, IAC, GJC, LJC: State Court Administrator, *Annual Report, The Courts of Washington, 1988* (Olympia, Washington: 1989).

LJC: *Caseloads of the Courts of Limited Jurisdiction of Washington State, 1988* (Olympia, Washington: 1989).

WEST VIRGINIA:

COLR: Unpublished data were provided by the Clerk of the Supreme Court of Appeals.

GJC, LJC: Unpublished data were provided by the Administrative Director of the Courts.

WISCONSIN:

COLR, IAC: Unpublished data were provided by the Clerk of the Supreme Court.

GJC, LJC: Unpublished data were provided by the Director of State Courts.

WYOMING:

COLR, GJC: Unpublished data were provided by the Court Coordinator.

LJC: Unpublished data were provided by the Director of State Courts.

COLR = Court of last resort.
IAC = Intermediate appellate court.
GJC = General jurisdiction court.
LJC = Limited jurisdiction court

Appendix C
Prototype Statistical Profiles

Prototype of State Appellate Court Statistical Profile Used in 1988 Data Collection

STATE NAME, COURT NAME
Court of last resort or intermediate appellate court
Number of divisions/departments, Number of authorized justices/judges
Time period covered

	Beginning pending	Filed	Disposed	End pending
Cases:				
Mandatory jurisdiction:				
Appeals of final judgment:				
Civil				
Criminal:				
Capital crimes (death/life)				
Other criminal				
Total criminal				
Juvenile				
Administrative agency				
Unclassified (e.g., constitutional issue)				
Total appeals of final judgment				
Other mandatory cases:				
Disciplinary matters:				
Attorney				
Judge				
Total disciplinary				
Original proceedings (e.g., extraordinary writs, postconviction remedy, sentence review only, election cases)				
Interlocutory decisions				
Advisory opinions:				
Intra-state (legislature, executive, courts).				
Federal courts (i.e., certified question)				
Total advisory opinions				
Total other mandatory cases				
Total mandatory jurisdiction cases				
Discretionary jurisdiction:				
Petitions of final judgment:				
Civil		( )	( )	
Criminal		( )	( )	
Juvenile		( )	( )	
Administrative agency		( )	( )	
Unclassified (e.g., constitutional issue)		( )	( )	
Total petitions of final judgment		( )	( )	
Other discretionary petitions:				
Disciplinary matters:				
Attorney		( )	( )	
Judge		( )	( )	
Total disciplinary		( )	( )	
Original proceedings (e.g., extraordinary writs, postconviction remedy, sentence review only, election cases)		( )	( )	
Interlocutory decisions		( )	( )	
Advisory opinions:				
Intra-state (legislature, executive, courts)		( )	( )	
Federal courts (e.g., certified question)		( )	( )	
Total advisory opinions		( )	( )	
Total other discretionary petitions		( )	( )	
Total discretionary jurisdiction cases		( )	( )	
Grand total cases		( )	( )	
Other proceedings:				
Rehearing/reconsideration requests				
Motions				
Other matters (e.g., bar admissions)				

Prototype of state appellate court statistical profile

	Manner of Disposition					
	Predecision disposition (dismissed/ withdrawn/ settled)	Opinions		Decision without opinion (memo/ order)	Transferred	Other
		Signed opinion	Per curiam opinion			
Mandatory jurisdiction:						
Appeals of final judgment:						
Civil						
Criminal						
Juvenile						
Administrative agency						
Unclassified (e.g., constitutional issue)						
Other mandatory cases:						
Disciplinary matters						
Original proceedings (e.g., election cases)						
Interlocutory decisions						
Total mandatory jurisdiction cases						
Discretionary jurisdiction (cases granted only):						
Petitions of final judgments:						
Civil						
Criminal						
Juvenile						
Administrative agency						
Unclassified (e.g., constitutional issue)						
Other discretionary petitions						
Disciplinary matters						
Original proceedings (e.g., election cases)						
Total discretionary jurisdiction cases						
Grand total						

	Type of decision in mandatory cases/granted petitions of final judgment					
	Civil	Criminal	Juvenile	Administrative Agency	Other Mandatory cases	Total
Opinions:						
Affirmed						
Modified						
Reversed						
Remanded						
Mixed						
Dismissed						
Other						
Decisions without opinion:						
Affirmed						
Modified						
Reversed						
Remanded						
Mixed						
Dismissed						
Other						

	Type of decision in other discretionary petitions		
	Petition granted	Petition denied	Other
Other discretionary petitions			
Disciplinary matters			
Original proceedings (e.g., election cases)			
Total discretionary jurisdiction cases			

Prototype of state appellate court statistical profile

	Time interval data (months/days)											
	Notice of appeal to ready for hearing			Ready for hearing to under advisement (submitted or oral argument completed)			Under advisement (submitted or oral argument completed) to decision			Notice of appeal to decision		
	Number of cases	Mean	Median	Number of cases	Mean	Median	Number of cases	Mean	Median	Number of cases	Mean	Median
Mandatory jurisdiction:												
Appeals of final judgment:												
Civil												
Criminal												
Juvenile												
Administrative agency												
Unclassified (e.g., constitutional issue)												
Other mandatory cases:												
Disciplinary matters												
Original proceedings (e.g., election cases												
Interlocutory decisions												
Total mandatory jurisdiction cases												
Discretionary jurisdiction:												
Petitions of final judgment:												
Civil												
Criminal												
Juvenile												
Administrative agency												
Unclassified (e.g., constitutional issue)												
Other discretionary petitions												
Disciplinary matters												
Original proceedings (e.g., election cases)												
Interlocutory decisions												
Advisory opinions												
Total discretionary jurisdiction cases												
Grand total												

Prototype of state appellate court statistical profile

	Age of pending caseload (days)															
	Not ready for hearing															
	Awaiting court reporter's transcript			Awaiting appellant's brief			Awaiting respondent's brief			Ready for hearing			Under advisement (submitted or oral argument completed			
	0-60 days	61-120 days	Over 120 days	0-60 days	61-120 days	Over 120 days	0-60 days	61-120 days	Over 120 days	0-60 days	61-120 days	Over 120 days	0-60 days	61-120 days	Over 120 days	Average age of pending caseload
Mandatory jurisdiction:																
Appeals of final judgment:																
Civil																
Criminal																
Juvenile																
Administrative agency																
Unclassified (e.g., constitutional issue)																
Other mandatory cases:																
Disciplinary matters																
Original proceedings (e.g., election cases)																
Interlocutory decisions																
Total mandatory jurisdiction cases																
Discretionary jurisdiction:																
Petitions of final judgment:																
Civil																
Criminal																
Juvenile																
Administrative agency																
Unclassified (e.g., constitutional issue)																
Other discretionary petitions																
Disciplinary matters																
Original proceedings (e.g., election cases)																
Interlocutory decisions																
Advisory opinions																
Total discretionary jurisdiction cases																
Grand total																

Prototype of state appellate court statistical profile

Boldface headings indicate the classifications used by the Court Statistics Project.
N/A = The casetype is handled by the court, but the data are unavailable.
X = The data for this casetype are known to be included in the total but are unavailable by category.
-- = Data element is not applicable.

( ) NOTE: Begin pending data filed outside the parentheses, disposed data outside the parentheses, and end pending data reported as discretionary jurisdiction cases represent petitions/motions for review. Filed figures inside the parentheses represent those newly filed petitions/motions that were granted during the time period covered on this profile. For those interested, filed figures inside the parentheses can then be added to total mandatory jurisdiction cases filed to arrive at the number of new cases that the court will ultimately consider "on the merits." Disposed figures inside the parentheses represent the number of discretionary petitions granted that were disposed of "on the merits." This number is rarely available, and is usually included in either the total discretionary petitions disposed, or the mandatory jurisdiction cases. The number of disposed petitions inside the parentheses can be added to total mandatory jurisdiction cases disposed to arrive at the number of cases that the court disposed of "on the merits."

Qualifying Footnotes:

A = The data element is complete with no footnotes.

B = The data element is complete and represents some double counting.

C = The data element is overinclusive.

D = The data element is overinclusive and represents some double counting.

i (enter as lower case) = The data element is at least 75% complete.

J = The data element is at least 75% complete, and represents some double counting.

P = The data element is incomplete and overinclusive.

Q = The data element is incomplete, overinclusive and represents some double counting.

V = The data element is less than 75% complete.

W = The data element is less than 75% complete, and represents some double counting.

X = The data element is less than 75% complete, and overinclusive.

Y = The data element is less than 75% complete, overinclusive, and represents some double counting.

Z = The data are missing for this data element.

R = Judge information.

S = Figure was computed.

T = Additional information.

U = The data element is included in the unclassified category.

Prototype of State Trial Court Statistical Profile Used in 1988 Data Collection

STATE NAME, COURT NAME
Court of general jurisdiction or court of limited jurisdiction
Number of circuits or districts, Number of judges
Time period covered

	Beginning pending	Filed	Disposed	End pending
Civil:				
Tort:				
Auto tort				
Medical malpractice				
Other professional malpractice				
Product liability tort				
Miscellaneous tort				
Total tort				
Contract				
Real property rights				
Small claims				
Domestic relations:				
Marriage dissolution				
Support/custody				
URESA				
Adoption				
Paternity/bastardy				
Miscellaneous domestic relations				
Total domestic relations				
Estate:				
Probate/wills/intestate				
Guardianship/conservatorship/trusteeship				
Miscellaneous estate				
Total estate				
Mental health				
Appeal:				
Appeal of administrative agency case				
Appeal of trial court case				
Total civil appeals				
Miscellaneous civil				
Total civil				
Criminal:				
Felony				
Misdemeanor				
DWI/DUI				
Appeal				
Miscellaneous criminal				
Total criminal				
Traffic/other violation:				
Moving traffic violation				
Ordinance violation				
Parking violation				
Miscellaneous traffic				
Total traffic/other violation				
Juvenile:				
Criminal-type juvenile petition				
Status offense				
Child-victim petition				
Miscellaneous juvenile petition				
Total juvenile				
Grand total cases				
Other proceedings:				
Postconviction remedy				
Preliminary hearings				
Sentence review only				
Extraordinary writs				
Total other proceedings				

Prototype of state trial court statistical profile

Manner of disposition: trials

	Jury	Trial Non-jury	Total
Civil:			
Tort:			
Auto tort			
Other professional malpractice			
Product liability tort			
Miscellaneous tort			
Total tort			
Contract			
Real property rights			
Small claims			
Domestic relations:			
Marriage dissolution			
Support/custody			
URESA			
Adoption			
Paternity/bastardy			
Miscellaneous domestic relations			
Total domestic relations			
Estate:			
Probate/wills/intestate			
Guardianship/conservatorship/ trusteeship			
Miscellaneous estate			
Total estate			
Mental health			
Appeal:			
Appeal of administrative agency case			
Appeal of trial court case			
Total civil appeals			
Miscellaneous civil			
Total civil			

	Jury	Trial Non-jury	Total
Criminal:			
Felony:			
Misdemeanor			
DWI/DUI			
Appeal			
Miscellaneous criminal			
Total criminal			
Traffic/other violation:			
Moving traffic			
Ordinance violation			
Parking violation			
Miscellaneous traffic			
Total traffic/other violation			
Juvenile:			
Criminal-type juvenile petition			
Status petition			
Child-victim petition			
Miscellaneous juvenile petition			
Total juvenile			
Grand total trials			

Manner of civil dispositions

	Uncontested/ Default	Dismissed	Withdrawn	Settled	Transferred	Arbitration	Total
Civil:							
Tort:							
Auto tort							
Medical malpractice							
Other professional malpractice							
Product liability tort							
Miscellaneous tort							
Total tort							
Contract							
Real property rights							
Small claims							
Domestic relations:							
Marriage dissolution							
Support/custody							
URESA							
Adoption							
Paternity/bastardy							
Miscellaneous domestic relations							
Total domestic relations							
Estate:							
Probate/wills/intestate							
Guardianship/conservatorship/ trusteeship							
Miscellaneous estate							
Total estate							
Mental health							
Appeal:							
Appeal of administrative agency case							
Appeal of trial court case							
Total civil appeal							
Miscellaneous civil							
Total civil							

Prototype of state trial court statistical profile

Manner of criminal dispositions and type of decision

	Felony	Misdemeanor	DWI/DUI	Appeal	Miscellaneous criminal	Total
Jury trial:						
Conviction						
Guilty plea						
Acquittal						
Dismissed						
Non-jury trial:						
Conviction						
Guilty plea						
Acquittal						
Dismissed						
Dismissed/nolle prosequi						
Bail forfeiture						
Bound over						
Transferred						
Other						
Total dispositions						

Manner of traffic/other violation dispositions and type of decision

	Moving traffic violation	Ordinance violation	Parking	Miscellaneous traffic/other violation	Total
Jury trial:					
Conviction					
Acquittal					
Non-jury trial:					
Conviction					
Acquittal					
Guilty plea					
Dismissed/nolle prosequi					
Bail forfeiture					
Parking fines					
Transferred					
Other					
Total					

Age of pending caseload (days)

	0-30 days	31-60 days	61-90 days	91-180 days	181-360 days	361-720 days	Over 720 days	Average age of pending cases
Civil:								
Tort:								
Auto tort								
Medical malpractice								
Other professional malpractice								
Product liability tort								
Miscellaneous tort								
Total tort								
Contract								
Real property rights								
Small claims								
Domestic relations:								
Marriage dissolution								
Support/custody								
URESA								
Adoption								
Paternity/bastardy								
Miscellaneous domestic relations								
Total domestic relations								
Estate:								
Probate/wills/intestate								
Guardianship/conservatorship/trusteeship								
Miscellaneous estate								
Total estate								
Mental health								
Appeal:								
Appeal of administrative agency case								
Appeal of trial court case								
Total appeal								
Miscellaneous civil								
Total civil								

Prototype of state trial court statistical profile

	Age of pending caseload (days)							
	0-30 days	31-60 days	61-90 days	91-180 days	181-360 days	361-720 days	Over 720 days	Average age of pending cases
Criminal:								
Felony								
Misdemeanor								
DWI/DUI								
Appeal								
Miscellaneous criminal								
Total criminal								
Traffic/other violation:								
Moving traffic								
Ordinance violation								
Parking violation								
Miscellaneous traffic								
Total traffic/other violation								
Juvenile:								
Criminal-type juvenile petition								
Status petition								
Child-victim petition								
Miscellaneous juvenile petition								
Total juvenile								

Boldface headings indicate the classifications used by the Court Statistics Project (CSP).
N/A = This casetype is handled by the court, but the data are unavailable.
X = The data for this casetype are known to be included in the total but are unavailable by category.
-- = Not applicable.

Units of count:
  Civil unit of count.
  Criminal unit of count.
  Traffic/other violation unit of count.
  Juvenile unit of count.

Trial definitions:
  Jury trial definition.
  Nonjury trial definition.

Qualifying Footnotes:

A = The data element is complete with no footnotes.

C = The data element is complete and also includes more information than can be specifically identified in codes E-H below.

E = The data element is complete and also includes all postconviction remedy proceedings.

F = The data element is complete and also includes all ordinance violation cases.

G = The data element is complete and also includes all DWI/DUI cases.

H = The data element is complete and also includes all criminal appeals cases.

i (enter as lower case) = The data element is at least 75% complete, and is missing more information than can be specifically identified in codes K-N below.

K = The data element does not include any limited felony cases.

L = The data element does not include any DWI/DUI cases.

M = The data element does not include any criminal appeal cases.

N = The data element does not include any ordinance violation cases.

O = The data element is incomplete and overinclusive.

V = The data element is less than 75% complete.

X = The data element is less than 75% complete and overinclusive.

Q = Additional court information.

R = Judge information.

S = Figure was computed.

T = Additional information; reopened cases are added to the data element.

U = The data element is included in the unclassified category.

Z = The data are missing for this data element (i.e., the primary data element was coded a "-5" to a "-1").

-1Z = Data not available

-2Z = Casetype does not fall within the jurisdiction of the court.

-3Z = Data are represented in the total, but could not be separated by data element.

-4Z = Data are reported in the unclassified category of the same general casetype.

-5Z = Data are collapsed with another casetype and could not be identified by specific data element.

Appendix D
State Populations

State Populations

Resident Population, 1988

State or territory	Population (in thousands)		
	1988 Juvenile	1988 Adult	1988 Total
Alabama	1,115	2,988	4,103
Alaska	167	356	523
Arizona	952	2,537	3,489
Arkansas	649	1,745	2,394
California	7,494	20,821	28,315
Colorado	869	2,432	3,301
Connecticut	760	2,475	3,235
Delaware	166	494	660
District of Columbia	138	480	618
Florida	2,795	9,540	12,335
Georgia	1,776	4,566	6,342
Hawaii	287	812	1,099
Idaho	304	699	1,003
Illinois	3,003	8,609	11,612
Indiana	1,461	4,094	5,555
Iowa	714	2,120	2,834
Kansas	653	1,842	2,495
Kentucky	981	2,745	3,726
Louisiana	1,296	3,111	4,407
Maine	304	901	1,205
Maryland	1,147	3,477	4,624
Massachusetts	1,332	4,556	5,888
Michigan	2,453	6,786	9,239
Minnesota	1,120	3,187	4,307
Mississippi	780	1,840	2,620
Missouri	1,312	3,830	5,142
Montana	221	584	805
Nebraska	423	1,179	1,602
Nevada	266	788	1,054
New Hampshire	275	811	1,086
New Jersey	1,831	5,889	7,720
New Mexico	449	1,057	1,506
New York	4,356	13,554	17,910
North Carolina	1,636	4,854	6,490
North Dakota	183	484	667
Ohio	2,823	8,032	10,855
Oklahoma	882	2,359	3,241
Oregon	686	2,080	2,766
Pennsylvania	2,848	9,153	12,001
Puerto Rico	1,234	2,060	3,294
Rhode Island	230	763	993
South Carolina	949	2,522	3,471
South Dakota	197	516	713
Tennessee	1,253	3,643	4,896
Texas	4,986	11,854	16,840
Utah	629	1,059	1,688
Vermont	141	416	557
Virginia	1,470	4,546	6,016
Washington	1,190	3,458	4,648
West Virginia	477	1,399	1,876
Wisconsin	1,273	3,581	4,854
Wyoming	141	338	479

Source: U.S. Bureau of the Census, *Press Release*, CB 89-72, May 4, 1989.

Total State Population for Trend Tables, 1984, 1985, 1986, 1987, and 1988

	Population (in thousands)				
State or territory	1984	1985	1986	1987	1988
Alabama	3,990	4,021	4,053	4,083	4,103
Alaska	500	521	534	525	523
Arizona	3,053	3,187	3,280	3,386	3,489
Arkansas	2,349	2,359	2,372	2,388	2,394
California	25,622	26,365	26,981	27,663	28,315
Colorado	3,178	3,231	3,267	3,296	3,301
Connecticut	3,154	3,174	3,189	3,211	3,235
Delaware	613	622	633	644	660
District of Columbia	623	626	626	622	618
Florida	10,976	11,366	11,675	12,023	12,335
Georgia	5,837	5,976	6,104	6,222	6,342
Hawaii	1,039	1,054	1,062	1,083	1,099
Idaho	1,001	1,005	1,003	998	1,003
Illinois	11,511	11,535	11,553	11,582	11,612
Indiana	5,498	5,499	5,503	5,531	5,555
Iowa	2,910	2,884	2,850	2,834	2,834
Kansas	2,438	2,450	2,460	2,476	2,495
Kentucky	2,723	3,726	3,729	3,727	3,726
Louisiana	4,462	4,481	4,502	4,461	4,407
Maine	1,156	1,164	1,173	1,187	1,205
Maryland	4,349	4,392	4,463	4,535	4,624
Massachusetts	5,798	5,822	5,832	5,855	5,888
Michigan	9,075	9,088	9,145	9,200	9,239
Minnesota	4,162	4,193	4,214	4,246	4,307
Mississippi	2,598	2,613	2,625	2,625	2,620
Missouri	5,008	5,029	5,066	5,103	5,142
Montana	824	826	819	809	805
Nebraska	1,606	1,606	1,598	1,594	1,602
Nevada	911	936	964	1,007	1,054
New Hampshire	977	998	1,027	1,057	1,086
New Jersey	7,515	7,562	7,620	7,672	7,720
New Mexico	1,424	1,450	1,479	1,500	1,506
New York	17,735	17,783	17,772	17,825	17,910
North Carolina	6,165	6,255	6,334	6,413	6,490
North Dakota	686	685	679	672	667
Ohio	10,752	10,744	10,753	10,784	10,855
Oklahoma	3,298	3,301	3,305	3,272	3,241
Oregon	2,674	2,687	2,698	2,724	2,766
Pennsylvania	11,901	11,853	11,889	11,936	12,001
Puerto Rico	3,267	3,267	3,274	3,292	3,294
Rhode Island	962	968	975	986	993
South Carolina	3,300	3,347	3,376	3,425	3,471
South Dakota	706	708	708	709	713
Tennessee	4,717	4,762	4,803	4,855	4,896
Texas	15,989	16,370	16,685	16,789	16,840
Utah	1,652	1,645	1,665	1,680	1,688
Vermont	530	535	541	548	557
Virginia	5,636	5,706	5,787	5,904	6,016
Washington	4,349	4,409	4,463	4,538	4,648
West Virginia	1,952	1,936	1,919	1,897	1,876
Wisconsin	4,766	4,775	4,785	4,807	4,854
Wyoming	511	509	507	490	479

Source: U.S. Bureau of the Census, *Press Release*, CB 89-72, May 4, 1989.

Other Publications from the Court Statistics Project

The following publications are available from the National Center for State Courts, 300 Newport Avenue, Williamsburg, VA 23187-8798:

State Court Caseload Statistics: Annual Reports 1976-1979

Each of these four volumes (1976-1979) has available caseload information from all appellate and trial courts. 1980-1984, paperback, $3.00 each volume, plus shipping.

State Court Caseload Statistics: Annual Report 1980

Available caseload information from all appellate and trial courts are presented in this report. 1984, 496 pages, paperback, $4.50, plus shipping.

State Court Caseload Statistics: Annual Report 1981

The 1981 Report is out of print. Photocopies are available from the Court Statistics Project.

State Court Caseload Statistics: Annual Report 1984

Available caseload information from all appellate and trial courts are presented in this report. 1986, 276 pages, 25 oz., paperback, $6.25, plus shipping.

State Court Caseload Statistics: Annual Report 1985

Available caseload information from all appellate and trial courts are presented in this report. 1987, 312 pages, 28 oz., paperback, $6.25, plus shipping.

State Court Caseload Statistics: Annual Report 1986

Available caseload information from all appellate and trial courts are presented in this report. 1988, 278 pages, 24 oz., paperback, $6.95, plus shipping.

State Court Caseload Statistics: Annual Report 1987

Available caseload information from all appellate and trial courts are presented in this report. 1989, 266 pages, 21 oz., paperback, $6.95, plus shipping.

Court Case Management Information Systems Manual

This manual reviews local and statewide case management information requirements and presents sets of model data elements, data collection forms and case management output reports for each level of court. 1983, 342 pages, 29 oz., paperback, $15.00, plus shipping.

The Business of State Trial Courts

Defining courts business as cases filed, serious cases, and contested cases, this monograph tests six myths about courts, their work and decisions. 1983, 158 pages, 14 oz., paperback. Single copies are available free of charge.

State Court Organization 1987

Updates the 1980 reference guide to the organization and practices of all state appellate and trial courts. 1988, 420 pages, 43 oz., paperback, $9.95, plus shipping.

State Court Model Annual Report

Suggested formats to be used in preparing state court annual reports. Discusses topics to be considered for inclusion in court reports. 1980, 88 pages. Single copies are available through the National Center for State Courts library.

1984 State Appellate Court Jurisdiction Guide for Statistical Reporting

Contains information on the organizations, jurisdiction, and time standards in the state appellate courts. 1985, 117 pages. Single copies are available for loan through the National Center for State Courts library.

State Court Model Statistical Dictionary

Contains definitions of terms used to classify and count court caseload. Gives the court statistical usage for each term. Merges the 1980 edition and 1984 *Supplement*, defines new terms. 1989, 90 pages, 11 oz., paperback, $4.50, plus shipping.

ERRATA

Please note the following corrections to State Court Caseload Statistics: Annual Report 1988.

*Page 17, The second to the last sentence on the page should read:

IAC discretionary petitions increased by 3.7 percent and COLR discretionary petitions by 1.0 percent.

*Page 126, Table 9: The total number of civil case dispositions for the New Jersey Tax Court should be footnoted as overinclusive ("B" footnote), since the total includes "state tax" and "equalization and related" cases.

*Page 151, Table 12: The juvenile caseload of the New Jersey Superior Court includes adoption cases, which are also counted as part of the court's civil caseload shown in Table 9. The entry in Table 12 should be corrected to read:

State/court name	Total juvenile filings and qualifying footnotes	Total juvenile dispositions and qualifying footnotes	Filings per 100,000 juvenile population
NEW JERSEY			
Superior	123,393 B	122,001 B	6,739